

From: Kyle Bentley
Director, City Development & CBO

Subject: Official Plan Amendment Application OPA 19-001/P and
Zoning By-law Amendment Application A 05/19
- Pickering Harbour Company Ltd.
- (591 Liverpool Road)

Recommendation:

1. That Official Plan Amendment Application OPA 19-001/P and Zoning By-law Amendment Application A 05/19, submitted by Pickering Harbour Company Ltd. to facilitate the development of a mixed-use development consisting of two 15-storey condominium apartment buildings located on lands municipally known as 591 Liverpool Road; be refused; and
 2. That if the applications are appealed to the Local Planning Appeal Tribunal, that Council authorizes City staff, its outside legal counsel and outside experts in the fields of planning, transportation, environmental, urban design and other specialties, as may be required, to present and defend Council's position on Official Plan Amendment Application OPA 19-001/P and Zoning By-law Amendment Application A 05/19, submitted by Pickering Harbour Company Ltd.
-

Executive Summary: Pickering Harbour Company Ltd. has applied for site-specific exceptions to both the City's Official Plan and Zoning By-law to facilitate the development of a high-density mixed-use condominium development on lands located on the east side of Liverpool Road, south of Wharf Street within the Bay Ridges Neighbourhood (see Location Map, Attachment #1).

The applicant originally proposed a mixed-use development on lands municipally known as 505 and 591 Liverpool Road. The proposal consisted of 2 buildings having heights of 23-storeys, containing 498 apartment units and 1,900 square metres of grade related commercial uses (see Original Submitted Concept Plan and Rendering and Original Submitted Landscape Plan, Attachments #3 & #4). In response to identified concerns, the applicant revised their proposal (see Revised Submitted Concept Plan and Revised Submitted Landscape Plan, Attachments #5 & #6). The key revisions to their proposal include:

- the removal of the City lands (505 Liverpool Road) from the applications;
- an increase in the environmental buffer from the Provincially Significant Wetland (Hydro Marsh), from 20.0 metres to a fully vegetated buffer ranging in width between 24.1 metres and 38.0 metres;
- the removal of the City lands and the increase in the environmental buffer reduces the net developable area from 1.46 hectares to 1.11 hectares;

-
- a reduction in the total Gross Floor Area from 58,174 square metres to 48,132 square metres, and an increase in the Floor Space Index from 3.98 to 4.34;
 - the removal of 200 public parking spaces proposed in the original plan;
 - a reduction in the proposed number of units from 498 to 377 while maintaining the proposed density of 340 units per net hectare;
 - a reduction in the height of the towers from 23-storeys to 15-storeys;
 - a reduction of the commercial area from 1,900 square metres to 1,400 square metres;
 - the relocation of the proposed boardwalk outside of the environmental buffer area;
 - the addition of a 1,700 square metre indoor boat storage area on the ground floor of the north building; and
 - the addition of a 625 square metre public assembly hall to the ground floor of the south building

The purpose of this report is to obtain Council's position on these applications. In addition, if the applications are appealed to the Local Planning Appeal Tribunal (LPAT), to authorize staff and the City's outside legal counsel and outside experts to attend an LPAT hearing and defend Council's position.

The Liverpool Road Waterfront Node has not been identified in the City's Official Plan as an appropriate area for intensification. The revised proposal, although reduced in its height and massing from the original proposal, will result in a form of development that is still too tall, too dense, compromises views to the waterfront and is not in keeping with the scale and character of the Liverpool Road Waterfront Node and surrounding neighbourhood.

The proposal for a mixed-use development consisting of residential uses is prohibited to be located within the Pickering Nuclear Generating Station (PNGS) exclusion zone for public health and safety reasons and Ontario Power Generation is not in support of the applications. The location of the shoreline hazard on or near the site has not been identified and Toronto and Region Conservation Authority (TRCA) advises that the proposal is inconsistent with TRCA Living City Policies. The proposal is not consistent with the growth policies of the Provincial Policy Statement (PPS) and does not conform to the growth management policies of the Growth Plan.

Accordingly, staff is of the opinion that the revised proposal for a mixed-use development consisting of 2 buildings with heights of 15-storeys in this location does not represent good planning, and recommends that Council deny the applications.

Financial Implications: No direct cost to the City is anticipated as a result of the proposed development. However, should the applicant appeal Council's decision, there will be costs associated with defending Council's position at the Local Planning Appeal Tribunal (LPAT) as outside Counsel, planning and related experts will be required. These costs will be funded from the General Government – Purchased Services Account.

1. Background

1.1 Property Description

The subject lands, municipally known as 591 Liverpool Road, are located on the east side of Liverpool Road, south of Wharf Street within the Bay Ridges Neighbourhood (see Location Map, Attachment #1). The subject lands comprise of one property, having an area of approximately 2.16 hectares with approximately 86 metres of frontage along Liverpool Road.

The lands municipally known as 591 Liverpool Road are owned by Pickering Harbour Company Ltd., and are occupied by the Frenchman's Bay Marina office and boat storage yard. Surrounding land uses include (see Air Photo Map, Attachment #2):

North: Immediately north is the Region of Durham Pumping Station, and further north is the Nautical Village development consisting of live-work units fronting Liverpool Road and associated parking area.

East: Immediately east is the Provincially Significant Frenchman's Bay Coastal Wetland Complex (also referred to as Hydro Marsh).

South: Immediately southwest is the City parking lot, and further south is the Hydro Marsh, Millennium Square at the foot of Liverpool Road, Beachfront Park and the Waterfront Trail, and beyond is Lake Ontario.

West: Across Liverpool Road is the Tenkey Marina (formerly known as the Frenchman's Bay Marina) and a restaurant, and north of the Marina is the Nautical Village development consisting of townhouse dwellings and live-work units along Liverpool Road. Further west is Frenchman's Bay.

1.2 Applicant's Original Proposal and Vision

Pickering Harbour Company Ltd.'s original plan proposed a high-density mixed-use development on lands located at 505 and 591 Liverpool Road consisting of 2 buildings having heights of 23-storeys and containing 498 apartment units (see Original Submitted Concept Plan and Rendering and Original Submitted Landscape Plan, Attachments #3 & #4). The lands located at 505 Liverpool Road are owned by the City of Pickering; however, the City was not a co-applicant in the applications. The application also included approximately 1,900 square metres of grade related commercial uses, a pedestrian promenade through the centre of the site and a public boardwalk along the south and east edges.

The primary vehicular access was proposed at the north end of the site, accessed from a private road off of Liverpool Road. A secondary parking access was proposed from Liverpool Road to the south building, and an at grade vehicular connection through the promenade area was proposed between both buildings. Two levels of underground parking and one level of above ground parking containing a total of 739 parking spaces for residents, visitors, commercial uses and 200 public parking spaces.

The applicant proposed an opportunity for a future road connection between Liverpool Road and Sandy Beach Road in the vicinity of the terminus of Liverpool Road to improve connectivity and alleviate traffic congestion. As part of the original supporting information for the development, the applicant identified a broader vision for their landholdings including creating a "Pickering Waterpark", consisting of a waterfront boardwalk connecting the east and west sides of Frenchman's Bay. The waterpark design vision was not included in the subject development applications.

1.3 Applicant's Revised Proposal

On March 11, 2020, Pickering Harbour Company Ltd. submitted a revised proposal in response to public and technical comments received throughout the planning review process (see Revised Submitted Concept Plan and Revised Submitted Concept Landscape Plan, Attachments #5 & #6).

The following key revisions have been made to the original proposal:

- the removal of the City lands (505 Liverpool Road) from the applications;
- the removal of 200 public parking spaces proposed in the original plan;
- a reduction in the total Gross Floor Area (GFA) from 58,174 square metres to 48,132 square metres, and an increase in the Floor Space Index (FSI) from 3.98¹ to 4.34;
- a reduction in the height of the towers from 23-storeys to 15-storeys;
- a reduction in the proposed number of units from 498 to 377, while maintaining the proposed density of 340 units per net hectare;
- an increase in the environmental buffer from the Provincially Significant Wetland (Hydro Marsh) from 20.0 metres to a fully vegetated buffer ranging in width between 24.1 metres and 38.0 metres;
- the removal of the City lands and the increase in the environmental buffer reduces the net developable area from 1.46 hectares to 1.11 hectares;
- the relocation of the proposed publicly accessible boardwalk outside of the environmental buffer area;

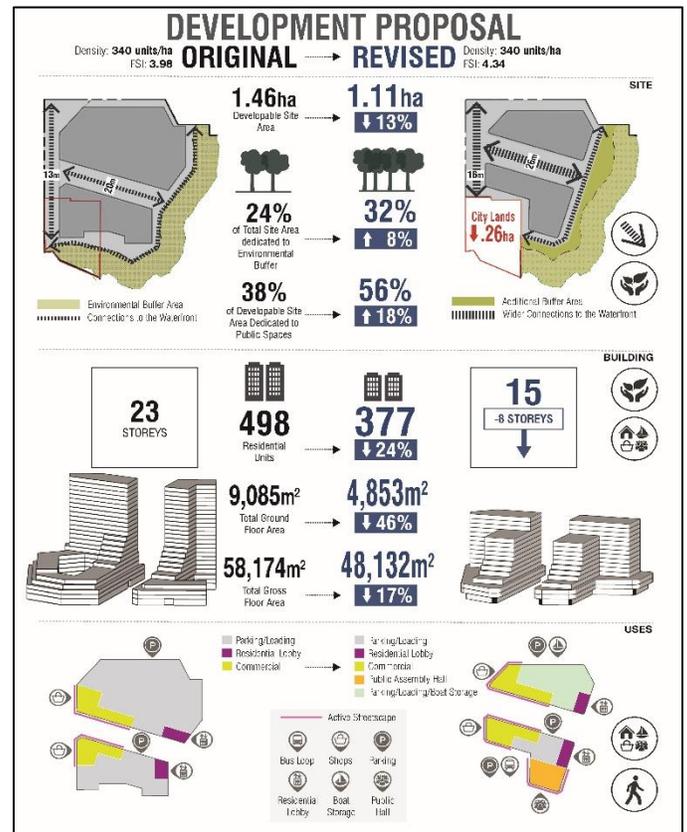


Figure 1: Applicant's comparison of Original and Revised Proposal

¹ The FSI number of 4.4 that was used in the February 3, 2020 Information Report 03-20, was incorrect.

-
- the publicly accessible pedestrian promenade has been maintained and the width on the ground level has been increased from 20.0 metres to 26.0 metres;
 - a reduction of the commercial area from 1,900 square metres to 1,400 square metres;
 - a slight reduction in the total amount of parking from 539 spaces to 535 spaces;
 - an increase in the resident parking ratio from 0.8 space per unit to 1.0 space per unit;
 - the addition of shared parking formula between visitors, commercial and office uses;
 - the removal of the proposal for a future road connection between Liverpool Road and Sandy Beach Road;
 - the removal of the vision for a pedestrian park and bridge over Frenchman's Bay;
 - the addition of a 625 square metre public assembly/event hall located on the ground floor of the south building; and
 - the addition of a 1,700 square metre indoor boat storage facility located on the ground floor of the north building.

The submitted Official Plan Amendment application is to re-designate the developable portion of the subject lands to "Mixed Use – Community Node" and the environmentally sensitive lands, including the vegetation protection buffer, to "Open Space System – Natural Areas". As noted above, the applicant proposes site-specific permission for an increase in the residential density from 140 units per net hectare to approximately 340 units per net hectare and an increase in the maximum permitted FSI from 2.5 to 4.34.

The submitted Zoning By-law Amendment Application is to rezone the subject lands to an appropriate mixed-use zone category to facilitate the proposal. The proposed uses include: apartment dwellings; animal care establishment; assembly hall; art gallery; bake shop; financial institution; café/restaurant; marina uses; medical office; commercial fitness/recreation centre; convenience store; daycare centre; dry-cleaning establishment; home improvement centre; tavern/bar/pub; office; personal service establishment; retail store; supermarket; veterinary clinic; and, indoor boat storage/outdoor boat storage.

Attachment #7 to this report summaries the key site statistics of the original and revised proposal.

2. Comments Received

2.1 Public Open House, Statutory Public Meeting and Written Comments

On October 17, 2019, a Public Open House meeting was hosted by the City Development Department to inform area residents about the development proposal. Approximately 250 people attended the Open House meeting. Subsequently, the Statutory Public Meeting was held on February 3, 2020, where approximately 300 people attended and over 30 people spoke in opposition to the proposal.

A copy of an on-line petition and copies of letters of objection were submitted to the City Clerk at the Statutory Public Meeting. The online petition submitted contained approximately 15,000 names, including approximately 2,200 Pickering residents. Approximately 150 letters of objection were also submitted.

The key concerns in the written submissions, and voiced at the Public Open House and Statutory Public Meetings, are summarized in Appendix I. The major concerns/comments can be described as follows:

- the proposal is too dense; the buildings are too tall and not compatible with the surrounding neighbourhood;
- there is insufficient capacity in the existing road network to accommodate the development, which will lead to more congestion and more parking issues;
- the development of these lands will worsen the significant flooding recently experienced in the area and have adverse environmental and ecological impacts;
- it is important to protect the existing City parking lot and existing boat storage facility that support marina and recreational boating activities; and
- additional residents in the area will have impacts on safety and increase the delay for emergency evacuation of the area.

Approximately 10 comments were received after the submission of the revised proposal. The comments and concerns expressed were similar to the comments received from the original proposal.

2.2 Notice of Motion

At the February 13, 2020, Planning & Development Committee Meeting, Councillor McLean gave notice that he would bring forward a Notice of Motion to be considered at the February 24, 2020 Council Meeting.

At the February 24, 2020 Council Meeting, the following Notice of Motion was Moved By Councillor McLean and Seconded by Councillor Brenner:

That the Council for the Corporation of the City of Pickering under the powers of authority granted under the *Planning Act* R.S.O. 1990, c.P.13 recommends:

1. That Official Plan Amendment Application OPA 19-001/P and Zoning By-law Amendment Application A 05/19 submitted by Pickering Harbour Company Ltd., to facilitate a mixed-use development consisting of two buildings having heights of 23-storeys containing a total of 498 apartment units, and approximately 1,900 square metres of grade related commercial uses, and 200 public parking spaces to serve the public be refused;
2. In the event that the Applicant appeals to the Local Planning Appeal Tribunal (LPAT), Council authorizes City staff, its outside legal counsel and outside experts in the fields of planning, environment, transportation, urban design and other specialties, as may be required, to present and defend Council's position on Official Plan Amendment Application OPA 19-001/P and Zoning By-law Amendment Application A 05/19, submitted by Pickering Harbour Company Ltd., at the LPAT; and,

3. Staff be directed through the CAO's Office, to advise the Applicant that the Council of The Corporation of the City of Pickering is not interested in including the City owned lands at 505 Liverpool Road as part of the Applicant's visioning exercise for their lands at 591 Liverpool Road, and is not interested in either selling nor conveying to the Applicant the lands owned by the City.

Approximately 250 people attended the February 24, 2020 Council Meeting, and 11 people spoke in support of the Notice of Motion to refuse Pickering Harbour Company Ltd. proposal.

Council resolved that the Notice of Motion to refuse Pickering Harbour Company Ltd., to amend the City's Official Plan and Zoning By-law for 505 and 591 Liverpool Road, be referred to City Development for consideration and to report back to the Planning & Development Committee meeting on May 4, 2020, or earlier, if deemed appropriate, in accordance with standard process utilized to review, assess and make recommendations on all planning applications (Council Resolution #234/20).

At that time, staff anticipated that a recommendation report could be available for the May 4, 2020 Planning & Development Committee meeting as requested in Council Resolution #234/20. However, with the ongoing events regarding COVID-19 and the closure of City facilities, the May Planning & Development Committee meeting was cancelled. In addition, staff did not receive all required City and agency comments on the revised proposal to complete the review of the applications.

At this time, staff have received all required City and agency comments, which have been incorporated into the subject recommendation report. The comments were assessed and considered and form part of staff's recommendation to Council.

2.3 City Departments & Agency Comments

2.3.1 Ontario Power Generation (OPG)

The following is a summary of key comments from OPG (see OPG letter dated April 28, 2020, Attachment #8) based on the revised proposal:

- the Pickering Nuclear Generating Station (PNGS) has a restrictive zone (an exclusion zone), measuring 914 metres from the exterior face of any reactor building, that precludes residential uses from locating in this area for public health and safety reasons (see Exclusion Zone Map to PNGS, Attachment #9);
- the applications propose changes to the Official Plan and Zoning By-law that would introduce policies contemplating sensitive residential land uses within the existing federally related exclusion zone, which has been in place since 1971; and
- OPG is not in support of the applications, as it is premature in nature with respect to the exclusion zone.

2.3.2 Region of Durham

The following is a summary of key comments from the Region of Durham (see letters dated March 18, 2020 and April 23, 2020, Attachment #10) based on the revised proposal:

- the proposed development generally conforms with the waterfront policies of the Region of Durham Official Plan; and, the Official Plan Amendment application is exempt from Regional Approval;
- Regional Works staff did not review the revised Traffic Impact Study (TIS), dated March 2020, given that the applicant did not address the Region's comments that were provided for the previous TIS, dated November 2019;
- the Region requests the applicant prepare an Addendum TIS Report that addresses outstanding comments;
- Durham Region Transit (DRT) advises that they do not support the looping of a DRT bus through the City Parking lot as suggested in the TIS;
- DRT recommends that a turnaround loop (cul-de-sac) be located at the bottom of Liverpool Road to allow buses to come to the bottom of Liverpool Road;
- it is recommended that canopy heights and access to the main doors of buildings are designed to allow for specialized transit service buses the ability to travel under the structure and along and around the entrance;
- further information is required regarding the circulation of traffic through the site; and
- a waste management plan is required at a future development application stage.

2.3.3 Toronto and Region Conservation Authority (TRCA)

The following is a summary of key comments from the TRCA (see TRCA letter dated April 20, 2020, Attachment #11) based on the revised proposal:

- the subject lands are within the TRCA Regulated Area of the Krosno Creek Watershed and Lake Ontario Shoreline, and a permit is required from the TRCA before any development taking place within the Regulated Area limits;
- TRCA's policy document, the Living City Policies (LCP) for Planning and Development in the Watersheds of the TRCA apply to this application;
- an appropriate Shoreline Hazard Study must be provided to identify the location of the shoreline hazard on or near the site prior to TRCA being able to comment further;
- consistency with the PPS and the TRCA Living City Policies has not been demonstrated as the location of the shoreline hazard has not been identified; TRCA staff cannot determine whether a permit application would be supported without an appropriate Shoreline Hazard Study;
- TRCA supports the variable fully vegetated buffer of 24.1 metres to 38.0 metres from the Provincially Significant Wetland (PSW) with an overall buffer area of 0.53 hectares; TRCA staff agree that the proposed increased ecological function within the buffer along with the restoration opportunities identified in the Environmental Impact Study (EIS) will mitigate the small deficit of 137 square metres; and
- TRCA supports the proposed fully naturalized buffer to the PSW; and, the buffer and the remaining natural features are required to be placed in an open space block and conveyed into public ownership for long-term protection.

2.3.4 City of Pickering – Engineering Services

The following is a summary of key comments from Engineering Services (see Engineering Services memo dated, May 19, 2020, Attachment #12) based on the revised proposal:

- given the high groundwater table and proposed underground parking garage, the Functional Servicing Report (FSR) should address a foundation drainage strategy, supported by preliminary calculations, detailed geotechnical and hydrogeological investigations;
- discharge of foundation drainage to the City's storm sewer system is not permitted;
- Engineering Services does not support the proposed use of the City's parking lot for the turnaround of public transit vehicles and other public traffic other than parking lot users, as also noted by DRT;
- Engineering Services concurs with the City's peer review transportation report prepared by Paradigm Transportation Solutions found in Attachment #14 to this report;
- regarding the proposed installation of a new traffic signal located at Krosno Boulevard and Liverpool Road; the City requires a functional plan be prepared for the dedicated southbound left lane given that the queue will increase the intersection delay and block the Haller Avenue access;
- an increase in the amount of soft landscaping is required and it is recommended that raised planting areas, particularly over the parking garage are provided; and
- an overall landscape plan is required for outdoor spaces including outdoor commercial and residential spaces.

3. Policy Context

3.1 The Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe

3.1.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction for land use planning and development in Ontario and with which municipal planning decisions must be consistent. On February 28, 2020, the Ministry of Municipal Affairs and Housing released the PPS, 2020, which came into effect on May 1, 2020. All decisions on or after that date under the *Planning Act*, or that affect a planning matter will be required to be consistent with the new PPS.

Section 1 of the PPS, Building Strong Healthy Communities, states that healthy, livable and safe communities are to be sustained, including among other matters, promoting efficient development and land-use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space and other uses to meet long-term needs; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns and standards to minimize land consumption and servicing cost.

Section 1.1.3.3 of the PPS states that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.5 of the PPS states that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

Section 1.2.6.1 of the PPS states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 2.1.8 of the PPS states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 3.1.3 of the PPS states that planning authorities shall prepare for the impacts of a changing climate that may increase the risk associated with natural hazards.

Section 4 of the PPS outlines methods in which the PPS should be implemented and interpreted. Section 4.6 of the PPS states that the official plan is the most important vehicle for the implementation of this PPS. Comprehensive, integrated and long-term planning is best achieved through official plans.

3.1.2 Growth Plan for the Greater Golden Horseshoe

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is a provincial plan that builds on the policy foundation of the PPS providing a more specific framework for municipalities on how to grow, the provision of infrastructure to support growth, and the protection of natural systems. Unless provided otherwise by legislation, the Growth Plan takes precedence over the PPS in cases where there is a conflict. Section 3 of the *Planning Act* requires that all municipal planning decisions shall conform or not conflict with, as the case may be, to the Growth Plan.

Section 2.2.2 3.b) of the Growth Plan states that all municipalities are required to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas. The strategy is also required to identify the appropriate type and scale of development and transition of built form to adjacent areas. Furthermore, Section 5.2.5 5.a) of the Growth Plan requires the minimum intensification targets to be identified in the upper tier plan (i.e., the Durham Regional Official Plan) and requires the lower tier municipality (i.e., the City of Pickering) to undertake studies to establish the permitted uses, densities, heights, and other elements of site design to implement the minimum targets.

3.2 Durham Regional Official Plan

The subject lands are designated “Greenlands System – Waterfront Areas” in the Durham Regional Official Plan and Frenchman’s Bay is identified as a “Waterfront Place”.

Lands within the “Waterfront Areas” designation shall generally be developed as “people places”. To the north, lands are designated “Living Areas”. Lands within the “Living Areas” designation are predominantly for housing purposes and incorporate a variety of housing types, sizes and tenure. Living Areas shall be developed in a compact form through higher densities, especially along arterial roads by intensifying and redeveloping in existing areas, provided that it complies with the provisions of the area municipal official plan and zoning by-law. The boundary between “Waterfront Areas” and “Living Areas” are approximate and shall be identified in the area municipal plans and zoning by-law.

The “Waterfront Places – Frenchman’s Bay” designation requires waterfront areas within the vicinity of Frenchman’s Bay to be developed as focal points along the Lake Ontario waterfront having a mix of uses, which may include residential, commercial, marina, recreational, tourist, and cultural and community facilities. The scale of development shall be based on and reflect the characteristics of each Waterfront Place. The boundaries and land uses of Waterfront Places are to be defined in local official plans. Where appropriate, Waterfront Places shall be planned to support an overall, long-term density target of at least 60 residential units per gross hectare and a floor space index of 2.0. The built form should vary, and be developed in a manner that is sensitive to the interface with the natural environment, as detailed in area municipal official plans.

In addition to the above-noted policies, the Regional Official Plan also provides policy direction for area municipal intensification strategies. These strategies are based on, but not limited to the following:

- the growth management objectives of the Regional Official Plan (Policy 7.3.9);
- the identification of intensification areas, ensuring they are in appropriate locations throughout the built-up areas;
- the recognition of Urban Growth Centre, Regional and Local Centres, Corridors, Waterfront Places and Transportation Hubs and Commuter Stations as the key focus for intensification;
- the provision of a range and mix of housing, taking into account affordable housing needs; and
- the provision of a diverse and compatible mix of land use, to support vibrant neighbourhoods, providing high quality public open spaces with site design and urban design standards that create attractive and vibrant places, support transit, walking and cycling and achieve an appropriate transition to adjacent areas.

3.3 Pickering Official Plan

The Pickering Official Plan designates the subject lands as “Open Space System – Marina Areas” and “Open Space System – Natural Areas” within the Bay Ridges Neighbourhood.

The “Open Space System – Marina Areas” designation provides for marinas, yacht clubs, marina supportive uses such as restaurants, limited retail sales, limited residential uses in conjunction with marinas and yacht clubs, and aquaculture, in addition to conservation, environmental protection and agriculture uses. The “Open Space System – Natural Areas” designation provides for conservation, environmental protection, restoration, education, passive recreation, and similar uses.

The subject lands are adjacent to the Hydro Marsh, which is a Provincially Significant Wetland Complex. An Environmental Impact Study is required for any proposed development within 120 metres of a key natural heritage or key hydrologic feature. The purpose of the study is to identify and evaluate the natural heritage features and hydrologic features, determine the minimum required vegetation protection zones (VPZ), and determine the site's development limits to prevent potential negative impacts from the proposed development on the natural heritage features.

The Official Plan requires a minimum 30 metre wide VPZ abutting wetlands. The VPZ could be reduced where the conservation authority determines it to be appropriate and where it can be demonstrated that there is no increase in risk to life or property; no impact to the control of flooding, erosion, dynamic beach or pollution; and where a net environmental benefit can be established on the property.

The subject lands are located within the Bay Ridges Neighbourhood and the Liverpool Road Waterfront Node area in the southern part of the neighbourhood. The Liverpool Road Waterfront Node is described as an area that exhibits a unique mix of built and natural attributes. Building form and public spaces within the Waterfront Node are to be of high-quality design with a nautical theme as detailed in the Liverpool Road Waterfront Node Development Guidelines.

The Official Plan policies for this Node restrict permitted uses to non-residential uses that promote the Waterfront Node as a boating, tourism and recreation area. Specifically, Official Plan Section 12.5 states that City Council shall:

- recognize that the area generally situated from Commerce Street stretching south to the Lake Ontario shoreline, on either side of Liverpool Road, exhibits a unique mix of built and natural attributes that establishes the area as the ‘Liverpool Road Waterfront Node’;
- promote the Waterfront Node as a boating, tourism and recreational area;
- require that future development within the Waterfront Node capitalize upon these unique attributes, which include Frenchman’s Bay, Lake Ontario, the Hydro Marsh, City parks, Millennium Square, marine activities, and the historic Village of Fairport; and
- for lands within the Waterfront Node, require building forms and public space to be of high-quality design with a Great Lakes Nautical Village theme as detailed in the Council-adopted Liverpool Road Waterfront Node Development Guidelines, to create a vibrant pedestrian environment.

Furthermore, for lands identified as the Liverpool Road Corridor:

- restrict the permissible uses to retailing of goods and services, restaurants, offices, and community, cultural and recreational uses, to serve the tourist, recreational, boating and other community needs;
- further permit, despite above, the establishment of residential uses, up to a maximum density of 55 units per net hectare, subject to conditions; accordingly, City Council, in considering rezoning applications for residential development for lands in the Liverpool Road Corridor, shall be satisfied that:
 - a significant public benefit is achieved through the design and construction of the dwellings to allow the ground floors facing the street to be easily converted to accommodate a range of uses including the retailing of goods and services, and offices by incorporating the Ontario Building Code construction requirements applicable to commercial uses.

The Pickering Official Plan, Chapter 9 outlines the City Community Design goal, which states “City Council shall promote development at various scales which, through their adherence to principles of good, high-quality community design, will produce built and natural environments in Pickering that offer enjoyment, comfort and safety for all uses, and evoke a desirable image and sense of place for the City”.

To achieve the community design goal, City Council shall, amongst other objectives:

- encourage private and public developments that offer pedestrian and users a high level of comfort, enjoyment and personal protection;
- encourage developments that are designed to fit their contexts by considering the mix of uses, and the massing, height, scale, architectural style and details of existing, adjacent buildings; and
- encourage developments that create spaces between and along with buildings that are of high architectural landscape quality, and contribute to and enhance the overall quality of Pickering's public realm.

The Pickering Official Plan, Chapter 14 establishes the City's position on a variety of municipal concerns revolving around attractive and effective community design.

Urban design related policies include:

- **Community Image:** requires that development at all scales creates, reinforces, and enhances distinctive neighbourhoods, nodes and corridors, and enhances the specific character of existing developments and neighbourhoods.
- **Development and Subdivision Design:** encourages designs of streets and blocks that create a public realm supporting comfortable and safe pedestrian activity and movement both within and beyond the development; and introducing public roads into large blocks of developable land.
- **Views & Vistas:** endeavours to maintain and enhance views of natural features, including bodies of water and across open spaces.
- **Human Scale:** encourages development that establishes and reinforces a human scale.

- Design of Buildings: encourages buildings proposed within an existing neighbourhood or established area to be designed to reinforce and complement existing built patterns such as form, massing, height, proportion, position relative to the street, and building area to site area ratios.

3.4 Liverpool Road Waterfront Node Development Guidelines

The Liverpool Road Waterfront Node Development Guidelines were adopted by Council in 2002 to guide the waterfront area of the Bay Ridges neighbourhood.

As shown in Figure 2, the lands are designated as follows:

- Marina Mixed Use Area
- Natural Areas and Open Space Area
- Liverpool Road Corridor
- Public Use Parking Boat Storage Area

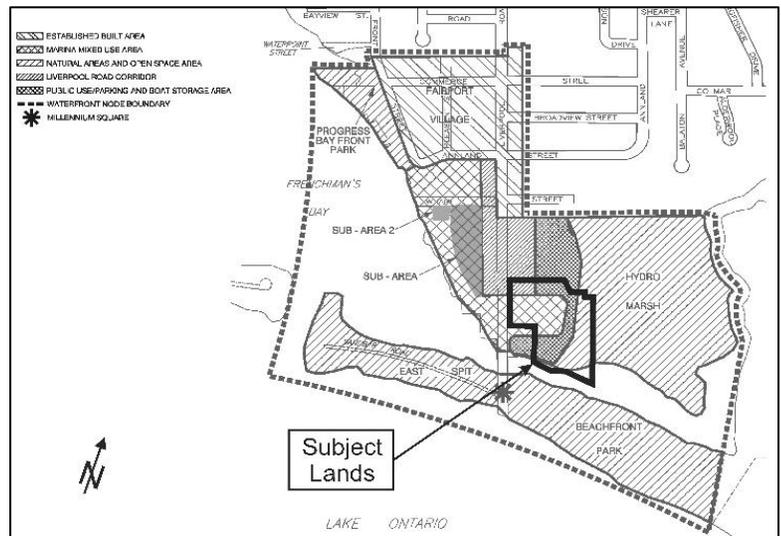


Figure 2: Liverpool Road Waterfront Node Development Guidelines

The centre of the lands are shown as Marina Mixed Use Area and are intended to develop in a manner that creates a high quality built form that is sensitive to views of the water, provides a critical link for visual and physical public accessibility to the waterfront where appropriate, has an attractive pedestrian scale and builds upon existing neighbourhood patterns.

The easterly limits of the lands are shown as Natural Areas and Open Space Area, which includes the Hydro Marsh lands. The Hydro Marsh is an environmentally sensitive wetland in which development is not permitted.

The northwest corner of the lands are shown as Liverpool Road Corridor. Development along Liverpool Road is intended to achieve a high level of design and architectural quality, featuring a vibrant pedestrian environment. This area represents the tourism and service commercial uses that complement the marina, recreation and waterfront trail uses within the Waterfront Node. Residential uses within the Liverpool Road Corridor will be permitted provided that a significant public benefit is provided.

The remaining lands are shown as Public Use Parking and Boat Storage Area. This area includes lands east of the City's parking lot which includes a marina office and boat storage.

The guidelines set out detailed development standards and policies that recognize the importance of development to be appropriate for the area by addressing the protection of views and vistas, maintenance of the existing road network, opportunities for additional off-road trail connections, continuance of street and block patterns, provision of pedestrian-friendly built form, creative parking strategies, compliance with relevant environmental management policies, and stormwater best management practices ensuring post-development flows are equal or better quality and quantity to that of predevelopment flows.

3.5 City's Intensification Strategy

The City's current intensification strategy as set out in the Pickering Official Plan is to maximize the efficiency of existing infrastructure and minimize the consumption of vacant land by accommodating additional residential units within the South Pickering Urban Area by encouraging:

- major intensification in Mixed Use Areas as designated on Schedule I of the Official Plan (which includes among other areas, Pickering's City Centre and a majority of the Kingston Road corridor and Specialty Retailing Node along which bus rapid transit service is available);
- in mixed-use areas and residential areas, redevelopment and conversion of non-residential uses to residential uses, including the addition of residential uses in mixed-use forms; and
- methods for the provision of compact housing form, with regard to housing type, architectural design and cost-effective development standards, where technically feasible.

Major intensification is primarily intended to occur on those lands designated as Mixed Use Areas, not low-density residential areas. Infill occurs in low-density areas on vacant or underutilized parcels of land. The effect of this is to increase the number of people close to higher-order transit infrastructure, without significantly changing the character of the established neighbourhoods.

In 2009, the City initiated a growth strategy program as part of the comprehensive review of the Pickering Official Plan to bring it into conformity with provincial and regional plans. The first component, which resulted in the approval of Pickering Official Plan Amendment 22, addressed the provincial and regional conformity exercise for future development within the City's designated greenfield area (Seaton).

The next component of the program focused on the City Centre, identified as an urban growth centre in the provincial Growth Plan for the Greater Golden Horseshoe. On March 4, 2015, the Ontario Municipal Board (OMB) approved Amendment 26 to the Pickering Official Plan, the planning framework for the redevelopment and intensification of the City Centre. Council adopted urban design guidelines and a new comprehensive zoning by-law for the City Centre in April 2017.

The next component of the program focused on examining intensification opportunities on the remaining lands in South Pickering. In 2015, the first phase of the South Pickering Intensification Study started with a community engagement exercise regarding where and to what extent growth should occur in South Pickering. The key themes that emerged throughout the community engagement exercise included focusing intensification and higher density development in the City Centre and along corridors such as Kingston Road, maintaining stable neighbourhoods, and creating vibrant, mixed-use, well designed, transit-supportive communities.

In light of these findings, staff then undertook a review of the City's Official Plan structure, policies and densities for intensification, against the 2006 Growth Plan and the Regional Plan requirements. Staff also tested whether land available for infill and intensification using current density ranges in the Official Plan could meet the population identified for South Pickering by the Region of Durham. Staff concluded that the basic framework of the Plan, which establishes the primary areas for intensification within the City Centre and the Mixed Use Nodes and Corridors, is sound and consistent with the community engagement results. Further, staff determined that the 120,000 population allocated by the Region of Durham for South Pickering can be accommodated by 2031. A major change to the Official Plan policies for the established neighbourhoods was not required.

In 2017, Council authorized staff to undertake the Kingston Road Corridor and Specialty Retailing Node Intensification Study to prepare a vision and intensification strategy for these mixed-use areas, located in South Pickering outside of the City Centre.

In December 2019, Council endorsed in principle an Intensification Plan and Draft Urban Design Guidelines for the Kingston Road Corridor and Specialty Retailing Node Study Area, dated November 2019, providing a framework for the redevelopment and intensification for the lands within the Kingston Road Corridor and the Specialty Retailing Node, and authorized staff to initiate an Official Plan Amendment to implement the vision and Intensification Plan for the Corridor and Node. Staff have commenced the Official Plan Amendment process, which will include opportunities for stakeholder and community participation later this fall.

The City acknowledges that the Province has proposed an amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. This amendment proposes changes to the population and employment forecasts for all upper- and single-tier Greater Golden Horseshoe municipalities including the Region of Durham, the horizon year for planning to 2051, and other policies to increase housing supply, create jobs, etc. The Region of Durham is currently reviewing its official plan, which includes a Land Needs Assessment Study that will determine, among other things, an appropriate distribution of the population and employment forecasts for the lower tier municipalities.

It is City staff's opinion that population growth should continue to be directed to the City Centre and the mixed use corridors and nodes in accordance with Council's previous direction where these areas support higher-order transit and have supporting infrastructure to support higher density development.

3.6 Infill and Replacement Housing Study

The City has initiated an Infill and Replacement Housing in Established Neighbourhoods Study. The purpose of this study is to provide direction for the preparation of appropriate Official Plan policies, zoning regulations and other implementation tools, and to develop design guidelines that will facilitate a sensitive transition between existing houses and new construction in the City's established neighbourhoods in South Pickering. As part of the consultation portion of the Study, an online survey was made available to the public. Question 24 asked respondents to comment on what was important to them for the future of the Liverpool Waterfront Node. The results of the survey question are attached to the February 3, 2020 Information Report 03-20.

In summary, respondents noted a desire for the future of the Liverpool Waterfront Node area to be connected to the natural environment, filled with walking trails, an updated boardwalk, and protected waterfront views for residents and visitors. A desire for the area to be protected as a park to support tourism was also noted. Respondents indicated a desire for new development to be low-rise buildings not higher than 3-storeys and higher buildings located further north.

The Phase 3: Draft Planning Recommendations Report, dated April 2020 is available to the public for comment. This report provides the final draft design guidelines and direction regarding other implementation tools that the City can use to review and consider future infill and replacement housing options. Public consultation regarding the final recommendations is anticipated to be late this summer.

4. Planning Analysis

4.1 Existing Community Character

The Bay Ridges Neighbourhood consists of a mix of old cottage-type houses as well as 1950's and 1960's houses and later detached, semi-detached, townhouse and apartment buildings. Bay Ridges is subdivided into several smaller sub-areas and communities.

The subject lands are located in the southern part of the Bay Ridges Neighbourhood in the Liverpool Road Waterfront Node. The character of this area and surrounding neighbourhood context makes it distinct from other parts of this neighbourhood, and other neighbourhoods and areas in Pickering. This includes the unique combination of waterfront location, history closely linked to the waterfront and nautical land uses.

The predominant building types include the early cottages that were established on the streets east of the Bay that remain today, but the majority of the houses in this area date from the post-war era, consisting of housing ranging in heights from 1 to 3-storeys, including some recently constructed detached and townhouse dwellings at 3-storeys. The Nautical Village is located below Wharf Street and extends over to Frenchman's Bay on the west and lining both sides of Liverpool Road. The design of this neighbourhood took its cues from the nautical themes in the surrounding neighbourhood and consists of 3-storey, clapboard-style townhouses, residential on the inner blocks and mixed-use, with some ground-floor retail along both sides of Liverpool Road.

Boating and nautical uses have remained an important part of the community to this day with several yacht clubs, boat storage and repair facilities, and nautical businesses located in the vicinity. The strong ties to the waterfront and to boating have helped to shape the community character.

4.2 The proposal is not consistent with the growth policies of the PPS and does not conform to the growth management policies of the Growth Plan

The proposal is not consistent with the growth policies of the PPS, 2020, which requires that growth and intensification be directed by local municipalities to appropriate locations based on the local context. As further discussed in Section 4.1 of this report, the area in which the proposed development is located is described as a generally low-density neighbourhood with some pockets of medium density townhouses of up to 3-storeys in height.

The proposal is not located within a designated growth area in the Pickering Official Plan. The area within which the subject lands are located has not been identified as suitable for major intensification, and high-density residential uses continue to be directed to more appropriate locations within the City, including the City Centre and Mixed Use Nodes and Corridors. The proposal represents a density increase of a minimum of six times greater than the maximum established density in the immediate area resulting in a built form that is not well-designed to “fit in” with the established neighbourhood setting.

The proposal is not in keeping with the scale and character of the existing Waterfront Node and surrounding development and what is envisioned for this area by the City of Pickering Official Plan.

The proposal does not conform to the growth management policies of the Growth Plan, 2019. While the Growth Plan generally promotes redevelopment and intensification, the Growth Plan also provides direction on where and how this growth should occur in settlement areas and directs upper and lower-tier municipalities to strategically plan for growth within their communities. Within Pickering, the Growth Plan identifies Downtown Pickering (now referred to as the City Centre) as an Urban Growth Centre in the Golden Horseshoe.

As required by both the Growth Plan and Durham Regional Official Plan, the City of Pickering continues to direct growth within the City through a growth management strategy which establishes the primary intensification areas as the City Centre (Downtown Pickering), Mixed Use Nodes and Corridors along Kingston Road and Brock Road where high-density residential uses will be directed. The South Pickering Intensification Study reviewed the City's Official Plan structure, policies and densities to accommodate projected growth within the City, confirming that the growth policies in the City's Official Plan can appropriately accommodate projected growth as allocated by the Region to 2031 without the need to introduce high-density housing into the mature neighbourhoods.

The Waterfront Node in which the subject lands are located was not identified as a focus of intensification. The mixed use areas to which, high-density development is directed support higher-order transit services, are located along regional corridors and/or within growth centres. These locations provide the infrastructure and level of services required to support higher density development.

4.3 Staff is of the opinion that the proposal does not conform to the Waterfront Places policies of the Durham Region Official Plan

The regional policies require the scale of redevelopment in Waterfront Places to be based on and reflective of the local characteristics. Based on the existing conditions, staff concluded that Pickering's waterfront had low potential for intensification at the level identified in the Regional Plan Waterfront Place policies (a residential density of at least 60 units per gross hectare and floor space index of 2.0). Accordingly, the City did not delineate a Waterfront Place in its Official Plan. Further, through the Region's current municipal comprehensive review, EnVision Durham, the City has recommended that the Region of Durham remove the "Waterfront Places" symbols from its Official Plan and that local municipalities be provided with greater discretion regarding the identification of areas for growth, and the distribution and density of development within their municipalities.

The proposal is not reflective of the scale and intensity of the neighbourhood. The revised proposal is too dense, buildings are too tall and the proposal is not compatible nor in keeping with the scale and character of the Waterfront Node and surrounding area.

High-density residential uses are directed to mixed-use areas, in particular in Nodes and Corridors and the City Centre. The City has determined that these areas have the appropriate infrastructure to support high density uses being along or near higher-order transit services.

Therefore, it is staff's opinion that the proposal does not conform to Waterfront Places policies of the Durham Region Official Plan, which require that the development reflect the characteristics of the Waterfront Place in which it is located.

4.4 The proposal does not conform to the growth and intensification policies of the City's Official Plan

The City has been building on an intensification strategy that started with the approval of the City's Official Plan in 1997. The approval of OPA 26 and related urban design guidelines and new zoning by-law for the City Centre, bring the Official Plan into conformity with the provincial and regional policies for the urban growth centres. A subsequent official plan amendment (OPA 29) eliminated the maximum density provision of all lands within the City Centre. With this amendment, the City was able to demonstrate that it could accommodate the population allocated by the Region to South Pickering, by 2031.

The City's growth management strategy has been to direct major intensification and high-density residential uses to the City Centre and to Mixed Use Nodes and Corridors. The Liverpool Road Waterfront Node, at the south end of the Bay Ridges Neighbourhood, has not been identified in the City's Official Plan as an appropriate area for major growth or intensification.

This site is located at the foot of Liverpool Road, at the south end of the neighbourhood, with limited roads in and out. The area is serviced by limited bus service and the Pickering GO Station platform is located approximately 2.5 kilometres away. A typical walking distance is considered to be approximately 800 metres, which means that the GO Station is located approximately two and a half times the distance that the average person is prepared to walk. The location of the site, at the bottom end of a low rise neighbourhood and far from higher-order transit, is not a suitable location for high-density residential development.

The revised proposal for a high-density mixed-use development consisting of two 15-storey towers, at 340 units per net hectare and an FSI of 4.34, is introducing a scale and intensity of development that was not contemplated for this area and is approximately six times higher than the highest density currently found in the area.

The density of the proposal does not relate to the density in the surrounding neighbourhood context. The Nautical Village to the west and north of the subject lands have a maximum residential density of 55 units per net hectare and a maximum building height of 3-storeys. The remaining area of Bay Ridges predominant building forms are detached houses and townhouses having residential densities ranging from a low of approximately 11 units per net hectare to a high of approximately 55 units per net hectare.

Staff find that the proposal does not conform to the growth and intensification policies of the City's Official Plan, which directs major intensification and high-density residential uses to the City Centre and to Mixed Use Nodes and Corridors.

4.5 The proposal is not in keeping with the neighbourhood vision as planned by the policies developed in the Liverpool Road Waterfront Node and does not appropriately address the Liverpool Road Waterfront Node Development Guidelines

The proposal is not in keeping with the character of the surrounding neighbourhood and, in particular, the character envisioned by the policies that guide development in the Liverpool Road Waterfront Node. The proposal does not appropriately address the development guidelines provided by the City of Pickering Official Plan and the Liverpool Road Waterfront Node Development Guidelines.

The City retained Robert Freedman, of FUSL, an urban design consultant, to peer review the original and revised proposals to provide an urban design assessment and opinion regarding policy and contextual fit and impacts of the proposed development on the surrounding neighbourhood. The "Urban Design Opinion Report", prepared by Robert Freedman, FUSL is found in Attachment #13 to this report.

The urban design analysis assessed the proposal's contextual fit and compatibility with the surrounding neighbourhood context using several urban design attributes, including height, density, massing and scale, and examined impacts of the proposal on the neighbourhood. The consultant's conclusions are as follows:

Building Height: The revised proposal at 15-storeys (approximately 46.5 metres, down from 29-storeys or 70.5 metres) is approximately 3.5 to 4 times taller than the tallest buildings in the neighbourhood. The majority of the buildings within the neighbourhood context are 3-storeys or less (approximate range of 9.0 metres to 12.0 metres), and the majority are detached houses or townhouse forms with sloped roofs.

This excessive height is an issue not only because it does not fit into or enhance the neighbourhood context, but also because it leads to other negative impacts including overlook, compromised privacy and loss of views to the waterfront from the surrounding neighbourhood.

Residential Density: The revised developable area of the subject lands is 1.11 hectares, which is approximately 13 percent smaller than the original developable area of 1.46 hectares. The GFA for the revised proposal has been reduced. However, with the smaller site area, and the introduction of a commercial indoor boat storage area and an assembly hall, the overall FSI as increased slightly by 9 percent. It should be noted that the residential density remains the same at 340 units per net hectare.

The density of the revised proposal does not relate to the density in the surrounding neighbourhood context, which ranges from a low of approximately 11 units per net hectare to a high of approximately 55 units per net hectare. The proposed density is approximately 6 times higher than the densities currently found in the area.

Massing & Scale: The revised proposal is a scaled-down version of the original proposal. It does not take its cues from the surrounding neighbourhood context in terms of building massing or how the buildings relate to the site and other buildings in the area. The revised proposal continues to introduce a new, podium-tower built form within a large block that is not subdivided by any public or private roads. This new urban form makes little effort to fit harmoniously into the existing neighbourhood.

There are no substantial shadow impacts on adjacent sites or buildings. However, from March to September, the proposed central promenade area will experience considerable shadowing in the middle of the day which will have negative impacts on the usability of the space.

The result of the excessive height, density and massing is a development that, if approved, will have negative impacts on its surroundings including:

- neighbourhood character disruption
- creation of a negative development precedent
- loss of views to the waterfront from the surrounding neighbourhood
- overlook and loss of privacy
- shadowing of the central pedestrian promenade area

Based on Robert Freedman’s peer review of the proposal, the overall massing, height, form and architectural design is inappropriate for this location because it does not enhance or reinforce the established character of the surrounding neighbourhood as required by several Official Plan policies and as recommended in the Waterfront Node Guidelines. These policies and guidelines speak to the importance of new development fitting into the neighbourhood context in terms of height, built form, scale and architectural character. The Waterfront Node Guidelines speak to development fitting into the surroundings with a particular emphasis on the area’s nautical heritage.

4.6 The parking supply proposed is insufficient to support the development

An updated Traffic Impact Study (TIS), prepared by HDR, dated March 2020, was submitted in support of the revised proposal. The TIS was undertaken to assess the road, traffic control and parking requirements for the proposed development. The City retained Paradigm Transportation Solutions to peer review the TIS. The “Technical Review – 591 Liverpool Road Traffic Impact Study” is found in Attachment #14 to this report.

To determine an appropriate parking ratio and supply, HDR examined three similar residential condominium development sites (proxy sites) located within the City Centre, a shared parking formula in the City Centre Zoning By-law, and incorporating parking standards found in the Seaton and City Centre Zoning By-laws.

The revised proposal provides for a higher allocation of parking spaces dedicated to residential use. The proposed parking supply for residents has increased from 0.8 spaces per unit to 1.0 space per unit (377 residential spaces proposed), which is higher than the parking demand the applicant observed in the City Centre proxy sites. The increased parking supply for residential use is appropriate and has been accepted for other residential developments outside the City Centre.

The proposed assembly hall use bases parking requirements on both the Seaton and City Centre Zoning By-laws and the parking supply appears to be sufficient. Depending on the programming of the assembly hall, the parking supply may occasionally serve as overflow parking for residential visitors and commercial uses. However, when surplus on-site parking may be available is unknown.

The revised proposal introduces a shared parking formula for mixed-used developments that is based on the City Centre Zoning By-law. As shown in Figure 3 below, the applicant proposes a shared parking rate of 0.25 spaces per unit which combines parking requirements of visitor and commercial uses and office uses.

Land Use	Size	Proposed Rate	Parking Spaces	Proposed Rates with Shared Visitor and Commercial	Proposed Parking Spaces
Residential	377 units	1.00 spaces/unit	377	1.00 spaces/unit	377
Visitor	377 units	0.15 spaces/unit	57	0.25 spaces/unit*	95
Retail	700 m ² GFA	3.5 spaces/100 m ²	25		
Office	700 m ² GFA	4.5 spaces/100 m ²	32		
Assembly Hall	625 m ² GFA	10 spaces / 100 m ²	63	10 spaces/100 m ²	63
Total			554		535

Figure 3: Traffic Impact Study, prepared by HDR, dated March 10, 2020: Table 38: Proposed Parking Supply Rates (without or with shared parking applied)

The proposed residential visitor parking rate of 0.15 spaces per unit is used for the shared parking analysis. This rate is lower than a typical visitor parking requirement of 0.25 spaces per unit for medium and high-density developments and lower than the visitor rate of 0.20 spaces per unit that has been accepted for other residential developments outside the City Centre.

The TIS report provides that since specific commercial uses are not yet defined, the commercial floor area is assumed to be split evenly between retail and office uses. Although the TIS report proposed a 50/50 split of office and commercial uses, the applicant does propose several non-residential uses within their proposal, including but not limited to: restaurants, personal service establishments, medical offices and daycare centre.

This variety of uses would require different or higher individual parking requirements if based on the Seaton Zoning By-law for example, and require different shared parking standards within the City Centre Zoning By-law shared parking formula, than those relied upon in the TIS in the analysis of residential visitor and commercial parking requirements.

The rationale compares the lands to the City Centre proxy sites which have locational advantages compared to the subject lands and makes the comparison not entirely appropriate. The subject lands do not relate to lands located within the City Centre given limited access to public transportation, not connected to or within convenient walking distance to any higher-order transit services, and limited access to services.

As noted, the subject lands are located approximately 2.5 kilometres from the Pickering GO Station platform. The lands are within walking distance to Durham Regional Transit (DRT) bus lines 193 and 101. A bus stop is located at Liverpool Road and Annland Street, which is approximately 320 metres from the subject lands. Line 193 loops at Annland Street and runs only 6 times per weekday. Route 101 turns off Liverpool Road at Krosno Road. The subject lands are not within convenient walking distance to any higher-order transit services. The lands are about a 6 to 7-minute drive, a 10-minute bus-ride (not including wait times), an 8-minute bike-ride and a 25 to 35-minute walk to the Pickering GO Station.

The rationale also relies on improvements in public transit that have not yet been committed to, as well as the implementation of a variety of long-term and Transportation Demand Management (TDM) plan. Even with these improvements and commitments, the subject site would still differ from those other areas due to it being further from higher-order transit facilities and complementary services.

In summary, the City's peer review consultant has advised that HDR's analysis results in an aggressively low parking rate for the combination of residential visitor and commercial uses. The initial parking demand rate for residential visitors is too low for the site and the future commercial uses are unknown. Several non-residential uses are being sought by the applicant that have different individual parking requirements within the Seaton Zoning By-law and different shared parking factors within the City Centre Zoning By-law shared parking formula compared to those relied upon by the consultant in their analysis. Therefore, the shared parking analysis of one theoretical mix of retail and office uses along with a residential visitor parking demand based on City Centre proxy sites does not provide compelling support for the site-specific parking rate recommended by the consultant.

4.7 The submitted Traffic Impact Study includes several deficiencies to assess whether the proposal can be accommodated on the existing road network

As described in The Technical Review – 591 Liverpool Road Traffic Impact Study, Attachment #14, the City's transportation peer review consultant advises that the updated TIS, prepared by HDR, dated March 2020 generally follows the TIS Guidelines of both the City and Durham Region. Notwithstanding, there are several deficiencies in the traffic assessment that would have to be addressed to support the consultant's conclusion that the proposed development could be accommodated by the study area road network.

The applicant would be required to update base year traffic data at selected locations to confirm the validity of the traffic forecasts; and, to conduct a more rigorous assessment of improvement alternatives for the Liverpool Road/Krosno Boulevard intersection. Regarding the proposed traffic signals at the Liverpool Road/Krosno Boulevard intersection; the City requires a functional plan to be prepared for the dedicated southbound left lane given that the queue will increase the intersection delay and block the Haller Avenue access.

With the removal of the City parking lot lands from the proposal, the City parking lot will continue to function as a vehicle turnaround at the foot of Liverpool Road for regular traffic. Furthermore, the parking lot will continue to provide public parking for visitors.

The TIS report proposes that the City parking lot could accommodate a public transit bus loop to allow buses to come to the bottom of Liverpool Road. DRT staff and City Engineering staff both advise that they do not support the looping of a DRT bus through the City parking lot. DRT recommends that a turnaround loop be constructed and located at the bottom of Liverpool Road to allow buses to come to the bottom of Liverpool Road.

As part of the original submission, the applicant advised that discussions with the City regarding an opportunity for a future road connection between Liverpool Road and Sandy Beach Road in the vicinity of the foot of Liverpool Road, to improve connectivity in this area. In the revised submission, the applicant advises that the road connection is not feasible from an environmental and economic standpoint and is not part of the revised concept plan.

4.8 OPG is not in support of the applications and advises it is premature for the City to consider the applicant's request

OPG owns and operates the Pickering Nuclear Generating Station (PNGS), a 6-unit station which is located less than a kilometre from the subject lands. The PNGS has a restrictive zone (an exclusion zone), measuring 914 metres from the exterior face of any reactor building, that precludes sensitive residential use from locating in this area for public health and safety reasons (see Attachment #9, Exclusion Zone Map to PNGS).

OPG has advised that the PNGS is anticipated to continue commercial operations until at least 2024 and decommissioning of the PNGS is to begin in 2028. Notwithstanding the planned decommissioning of the PNGS, OPG advises that there are no planned changes to amend the exclusion zone and direction, and any changes to the exclusion zone require approval from the Canadian Nuclear Safety Commission.

The applications propose changes to the City's Official Plan and Zoning By-law, which would introduce policies contemplating sensitive residential land use within the existing federally regulated exclusion zone that has been in place since 1971. OPG advises they are not in support of the applications and it is premature for the City to consider the applicant's requests.

4.9 Consistency with the TRCA Living City Policies has not been demonstrated as the location of the shoreline hazard has not been identified

The subject lands are located within the TRCA Regulated Area of the Krosno Creek Watershed and Lake Ontario Shoreline. A permit from TRCA is required before any development may take place on the subject lands. TRCA staff has reviewed the revised proposal as per their delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in PPS as a regulatory authority under Ontario Regulation 166/06 and under Partnership Memorandum with the Region of Durham.

The revised proposal includes a variable width fully vegetated buffer of 24.1 metres to 38.0 metres from the Provincially Significant Frenchman's Bay Coastal Wetland Complex (PSW) with an overall buffer area of 0.53 hectares. This buffer area is marginally smaller (by 137 square metres) than the area of 0.54 hectares that would be provided by a continuous 30 metre buffer. However, TRCA staff agree that the proposed increased ecological function within the buffer along with the restoration opportunities identified in the EIS (removal of the buttress, fencing within the PSW) will mitigate this deficit. TRCA also agrees that the bird-friendly design should be included in the design.

The revised concept landscape plan illustrates that the proposed buffer to the PSW will be fully naturalized, and the buffer and the remaining natural features placed in an open space block. The proposed buildings appear adequately set back from the open space block. However, there is no indication where the underground parking is to be located. The underground parking should be located at a minimum of 3.0 metres from the open space block to allow for future maintenance.

It is the opinion of the TRCA that an appropriate Shoreline Hazard Study must be provided to identify the location of the shoreline hazard on or near the site prior to TRCA being able to comment further. Consistency with the PPS and the TRCA Living City Policies has not been demonstrated as the location of the shoreline hazard has not been identified. TRCA recommends that the applicant work with TRCA to provide a Shoreline Hazard Study for review. If the shoreline hazard is at least 10 metres from the proposed development limit, then TRCA can support the proposed development with conditions. If the shoreline hazard is within 10 metres of the proposed development limit, then the development limit will need to be revised.

4.10 Dewatering of the underground parking garage

Given the groundwater conditions of the area and the proposed construction of an underground parking structure, both the TRCA and the City's Engineering Services Department require more information on the permanent dewatering that may be required and has flagged potential concerns with the constructability of the underground garage component of the development.

Engineering Services advises that the Functional Servicing Report should address a foundation drainage strategy, supported by preliminary calculations, detailed geotechnical and hydrogeological investigations. Engineering Services also advises that discharge of foundation drainage to the City's storm sewer system is not permitted.

4.11 Indoor boat storage is not in keeping with the objectives of the Waterfront Node Guidelines

The revised plan proposes a 1,700 square metre indoor boat storage use within the podium of the northern building providing approximately 100 boat storage spaces to store boats in the off-season. The applicant advises that approximately 200 boats are currently stored on the property from the fall to spring, and the lands are primarily unused during the summer months, except for the Pickering Harbour Company office building.

As noted, the Waterfront Node Guidelines speak to the importance of retaining and enhancing the nautical character of the neighbourhood, some of which have to do with the visible, outdoor boat storage facilities found in various locations around the neighbourhood.

Staff support the opinion of the urban design consultant analysis which states that while an indoor boat storage facility may help to retain the use, it does so in a very different way and with a different and less visible impact on the area.

The proposal drawings provide very little detail about the proposed storage facility: it is unclear how tall the ground floor of this space will be; and, what size boats can be stored and exactly how many. Also, there appears to be no windows to allow views into and out of the space, and it is unclear whether the space will have alternative uses during the months when boats are in the water. Staff is of the opinion that an indoor facility will not provide a visible reminder of the area's nautical character the same way that the surface boat storage facilities are able to do.

4.12 Conclusion

Staff conclude that the proposal is not appropriate for the subject lands for the following reasons:

- The proposal is not consistent with the growth policies of the PPS which requires that growth and intensification to be directed by local municipalities to appropriate locations based on local context;

- The proposal does not conform to the growth management policies of the Growth Plan which also requires that municipalities strategically plan for growth by identifying appropriate areas for growth and intensification;
- The proposal is not reflective of the scale and intensity of the neighbourhood, and therefore, does not conform to the Waterfront Places policies of the Durham Region Official Plan which require that development reflect the characteristics of the Waterfront Places in which it is located;
- The proposal does not conform to the growth and intensification policies of the City of Pickering Official Plan which directs major intensification and high density development to the City Centre and to mixed use nodes and corridors;
- The proposal is not in keeping with the neighbourhood character and vision as planned by the policies developed for the Liverpool Road Waterfront Node and does not appropriately address the Liverpool Road Waterfront Node Development Guidelines;
- OPG is not in support of the applications and advises it is premature for the City to consider the applicant's request given that the proposal introduces permissions for sensitive residential land uses within the existing federally related exclusion zone;
- The submitted Traffic Impact Study includes several deficiencies to assess whether the proposal can be accommodated on the existing road network and the parking supply proposed is insufficient to support the development; and
- Consistency with the TRCA Living City Policies has not been demonstrated as the location of the shoreline hazard has not been identified.

Based on these reasons, staff recommends that the Official Plan and Zoning By-law Amendment applications to facilitate the development of a mixed-use development consisting of two 15-storey condominium apartment buildings located on lands municipally known as 591 Liverpool Road; be refused. If the applications are appealed to the LPAT, it is recommended that staff and its agents be authorized to defend Council's position at the LPAT.

Appendix:

Appendix I Key Comments and Concerns of the Public

Attachments:

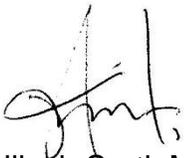
1. Location Map
2. Air Photo Map
3. Original Submitted Concept Plan and Rendering
4. Original Submitted Concept Landscape Plan
5. Revised Submitted Concept Plan
6. Revised Submitted Concept Landscape Plan
7. Site Statistics
8. Ontario Power Generation Comment Letter, dated April 28, 2020
9. Exclusion Zone Map to PNGS

- 10. Region of Durham Comment Letters, dated March 20, 2020 & April 23, 2020
- 11. Toronto and Region Conservation Authority Comment Letter, dated April 20, 2020
- 12. Engineering Services Comment Letter, dated May 19, 2020
- 13. Urban Design Opinion Report, prepared by FUSL, dated May 11, 2020 (updated June 25, 2020)
- 14. Technical Review – 591 Liverpool Road Traffic Impact Study, prepared by Paradigm Transportation Solutions, dated May 6, 2020

Prepared By:



Cristina Celebre, MCIP, RPP
Principal Planner, Development Review



Nilesh Surti, MCIP, RPP
Manager, Development Review
& Urban Design

Approved/Endorsed By:



Catherine Rose, MCIP, RPP
Chief Planner



Kyle Bentley, P. Eng.
Director, City Development & CBO

CC:ld

Recommended for the consideration
of Pickering City Council



Marisa Carpino, M.A.
Interim Chief Administrative Officer

Key Comments and Concerns of the Public

**Official Plan Amendment Application OPA 19-001/P
Zoning By-law Amendment Application A 05/19
Pickering Harbour Company Ltd.**

The following is a list of key resident comments and concerns that have been expressed, either in writing or verbally, at the Public Open House held on October 17, 2019, at the Statutory Public Meeting held on February 3, 2020 and at the Council Meeting held on February 24, 2020:

Use of the properties

- commented that the proposal is not appropriate for the waterfront and is not in keeping with the character of the Nautical Village
- commented that the City should not sell the surface parking lot for a residential development
- commented that the proposal would eliminate the boat storage facility
- commented that the proposal is not the best use of the subject lands
- commented that the proposal is not consistent with the Provincial Policy Statement, does not conform to the Growth Plan and does not adequately consider the Liverpool Road Waterfront Node Development Guidelines

Traffic and Parking

- concerned that there is insufficient capacity on the existing road network to accommodate the development and that will lead to more congestion
- commented that the traffic impact study submitted in support of the applications should include data from the summer months (particularly during weekend events)
- concerned that the proposal will result in an increase in traffic congestion particularly during the summer months
- commented that there are existing problems with available parking and this development would further exacerbate these issues
- commented that the area is not well served by public transit to be a real transportation alternative
- commented that the proposal provides insufficient resident parking and each unit will require parking for two or more vehicles

Environmental Impacts

- concerned that the proposal will worsen the significant flooding experienced in the area
- concerned that the proposal will have adverse environmental and ecological impacts on the surrounding Provincially Significant Coastal wetland, including Hydro Marsh and Frenchman's Bay
- concerned that the proposal will have adverse impacts on migrating birds
- concerned that the proposal will result into run off into Frenchman's Bay
- concerned with the existing and future erosion along the Spit due to the high water levels of Lake Ontario

Height, Massing and Scale

- concerned that the proposed buildings are too tall, out of scale, and do not fit into the surroundings neighbourhood
- concerned that the proposed height of the buildings will have shadow impacts on the nautical village townhouse units
- concerned that the size and height of buildings will block the waterfront views
- concerned that the density proposed is out of character and far higher than the density in the surrounding neighbourhood and more appropriately located near the GO Station and along Kingston Road

Waterfront and Frenchman's Bay

- concerned that the proposal will have negative impacts on the waterfront including the loss of lake views and the loss of access to the waterfront
- commented that the waterfront should be preserved for parkland for all residents to enjoy
- commented that the City should buy lands in the area for public use as a park or for boating uses
- commented that the "waterpark" design vision for Frenchman's Bay is not desirable or appropriate

Recreational Boating

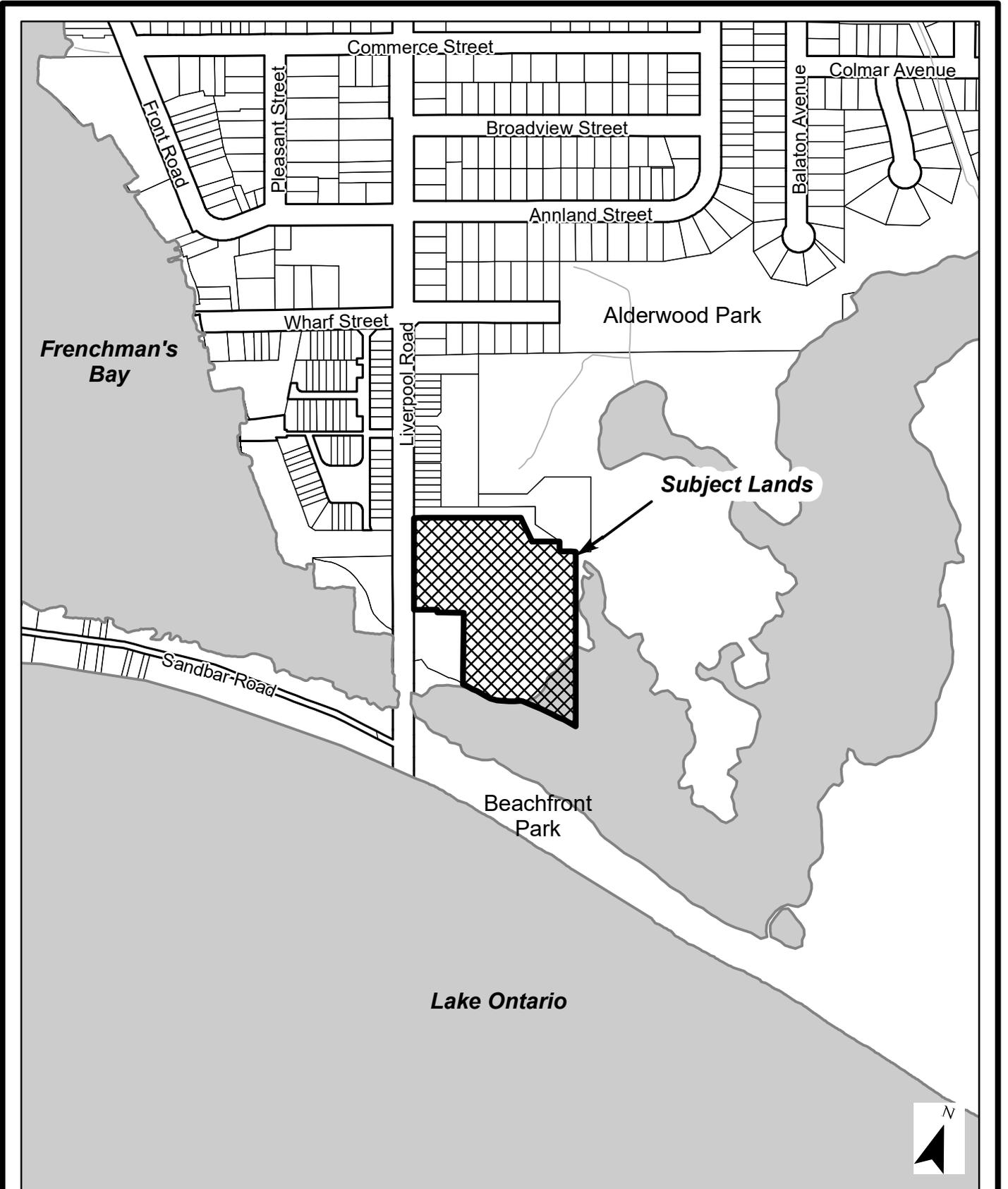
- concerned that the proposal will contribute to the declining support of recreational boating in the area
- concerned that the proposal would eliminate boat storage on dry land
- concerned that the proposal would eliminate boat launch

Pickering Nuclear Generating Station

- concerned that additional residents will increase the delay for emergency evacuation of the area
- concerned with the City's interest in obtaining a minor variance to the Pickering Nuclear Generating Station Exclusion Zone to allow for the subject proposal and not consulting with area residents

Other Comments

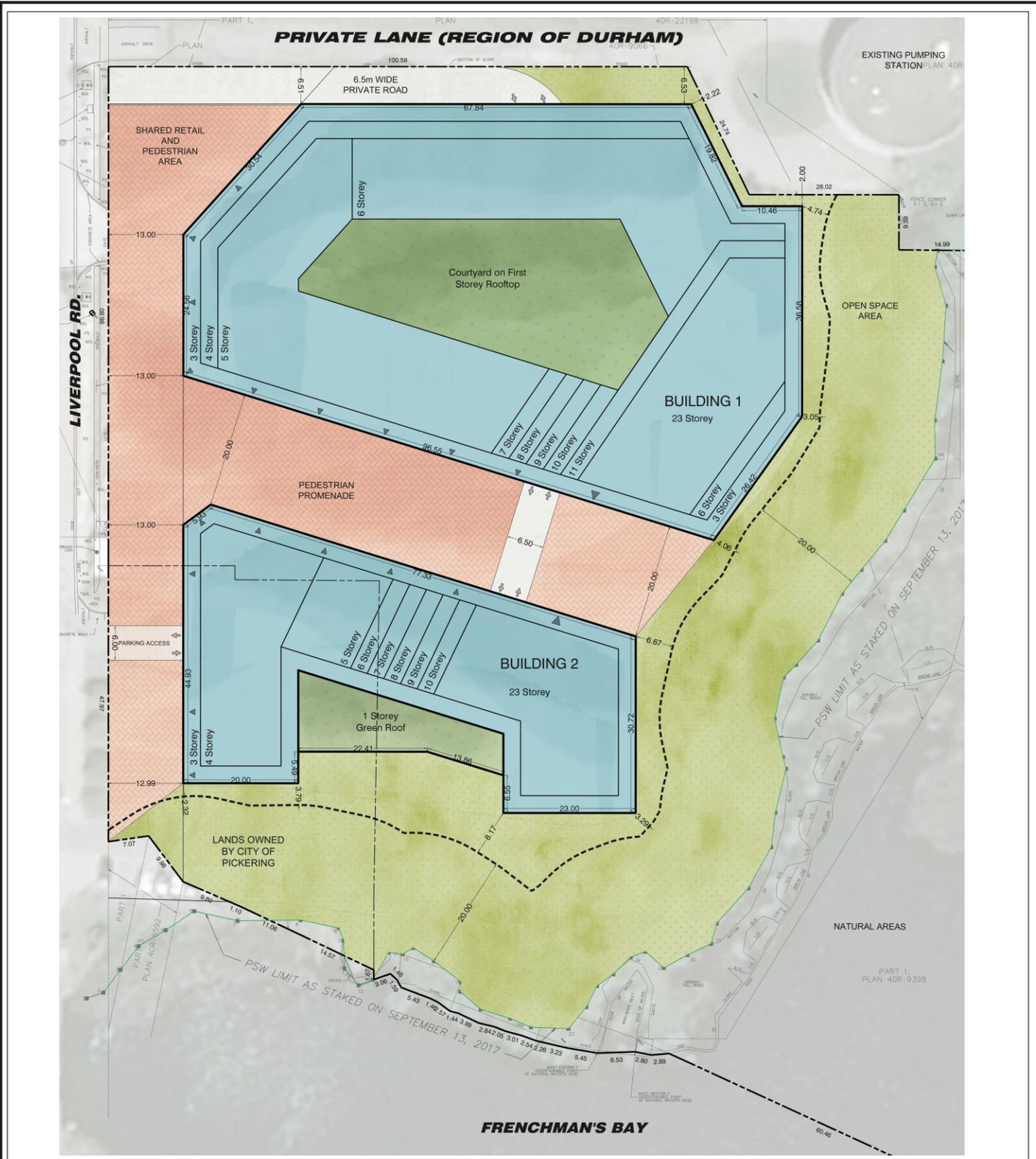
- concerned that this proposal may be the catalyst for similar developments in the area
- concerned that the quality of life for existing surrounding residents will be negatively impacted
- concerned with impacts of construction on the local area as well as environmental impacts
- recommended the implementation of Bird Strike Mitigation Measures



 City Development Department	Location Map	
	File: OPA 19-001/P and A 05/19	
	Applicant: Pickering Harbour Company Ltd.	
	Property Description: Part of Lot 22, Range 3 (591 Liverpool Road)	
		Date: Jun. 04, 2020
<small>© The Corporation of the City of Pickering Produced (in part) under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved. © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved. © Teranet Enterprises Inc. and its suppliers all rights reserved. © Municipal Property Assessment Corporation and its suppliers all rights reserved.</small>		SCALE: 1:5,000 <small>THIS IS NOT A PLAN OF SURVEY.</small>



 City Development Department	Air Photo Map	
	File: OPA 19-001/P and A 05/19	
	Applicant: Pickering Harbour Company Ltd.	
	Property Description: Part of Lot 22, Range 3 (591 Liverpool Road)	
	Date: Jun. 04, 2020	
<small>© The Corporation of the City of Pickering Produced (in part) under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved. © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved.; © Teranet Enterprises Inc. and its suppliers all rights reserved.; © Municipal Property Assessment Corporation and its suppliers all rights reserved.</small>		SCALE: 1:5,000 <small>THIS IS NOT A PLAN OF SURVEY.</small>

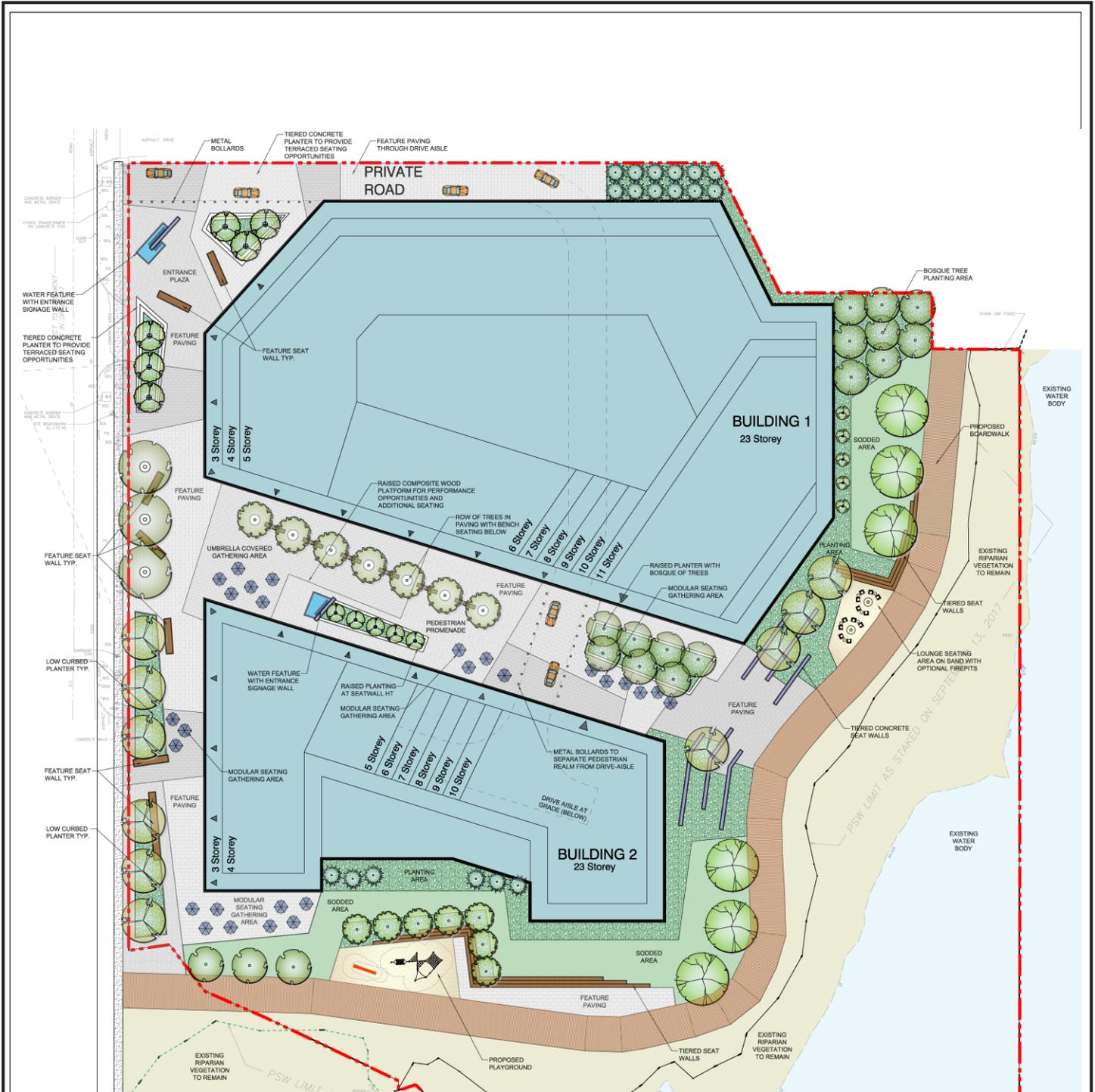


City of
PICKERING
City Development
Department

Original Submitted Concept Plan
File No: OPA 19-001/P and A 05/19
Applicant: Pickering Harbour Company Ltd.
Property Description: Part of Lot 22, B.F.C Range 3
 (505 & 591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

DATE: Dec 12, 2019

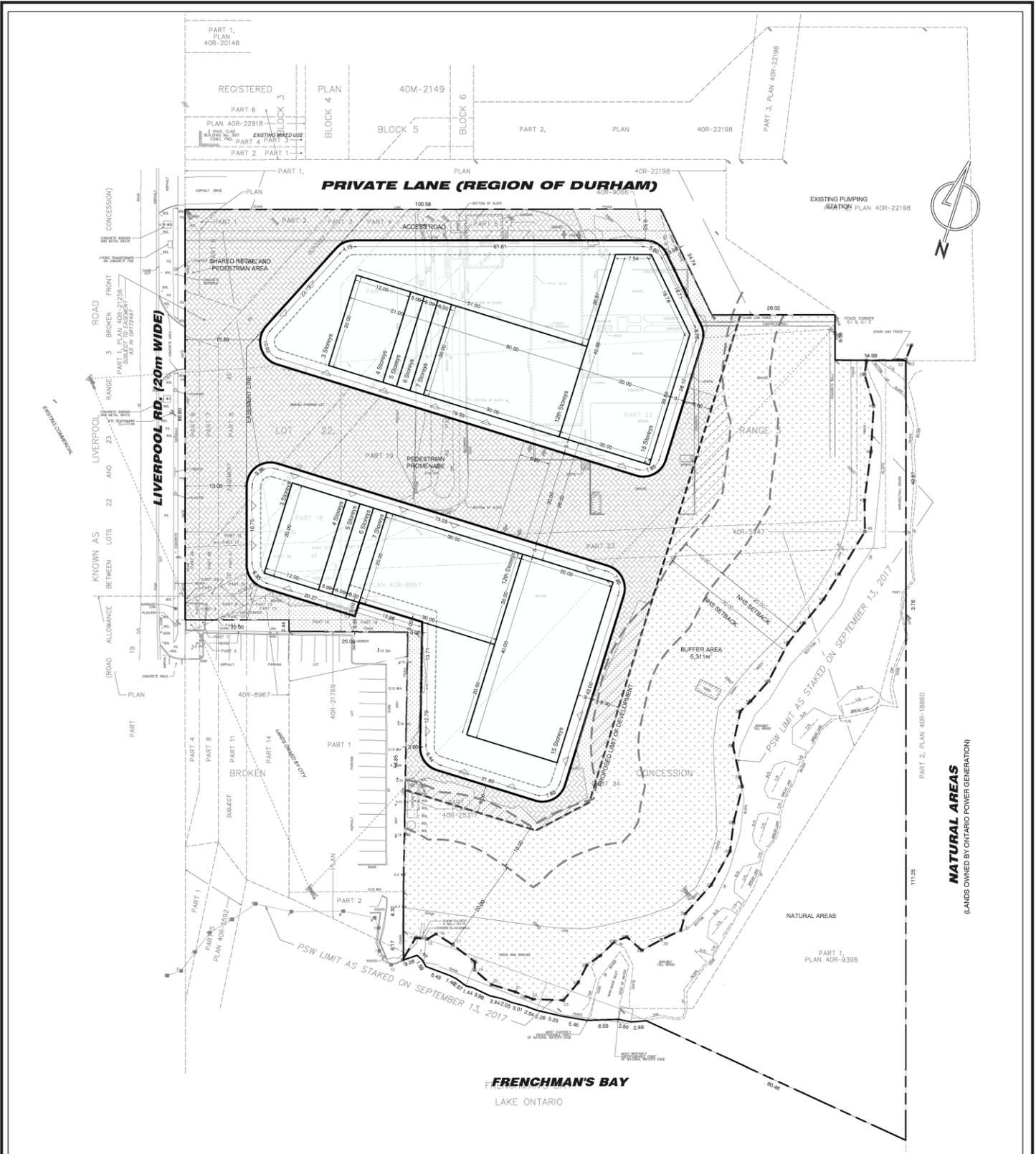


City of
PICKERING
City Development
Department

Original Submitted Concept Landscape Plan
File No: OPA 19-001/P and A 05/19
Applicant: Pickering Harbour Company Ltd.
Property Description: Part of Lot 22, B.F.C Range 3
 (505 & 591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

DATE: Dec 12, 2019



City of
PICKERING
City Development
Department

Revised Concept Plan

File No: OPA 19-001/P and A 05/19

Applicant: Pickering Harbour Company Ltd.

Property Description: Part of Lot 22, B.F.C Range 3
(591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING
CITY DEVELOPMENT DEPARTMENT.

DATE: Mar 25, 2020



City of
PICKERING
City Development
Department

Revised Landscape Plan
File No: OPA 19-001/P and A 05/19
Applicant: Pickering Harbour Company Ltd.
Property Description: Part of Lot 22, B.F.C Range 3
 (591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

DATE: Mar 25, 2020

Site Statistics

	Original Proposal	Revised Proposal
Property Addresses	591 Liverpool Road 505 Liverpool Road (City Lands)	591 Liverpool Road (505 Liverpool Road removed from proposal)
Total Area	2.42 hectares	2.16 hectares
Total Net Developable Area	1.46 hectares	1.11 hectares
Density	340 units per net hectare	No change
Floor Space Index	3.98 FSI	4.34 FSI
Total Number of Units	Building 1 – 309 units Building 2 – 189 units Total: 498 units	Building 1 – 184 units Building 2 – 193 units Total: 377 units
Total Gross Floor Area	58,174 square metres	48,132 square metres
Residential Gross Floor Area	Building 1 – 35,163 square metres Building 2 – 21,138 square metres	Building 1 – 21,469 square metres Building 2 – 22,519 square metres
Number of Storeys & Building Height	23 storeys 70.5 metres	15 storeys 46.5 metres
Unit Types	Mix of Bachelor, 1 bedroom, 2 bedroom and 3 bedroom	No change
Commercial Gross Floor Area	1,900 square metres	1,400 square metres
Boat Storage	Not included in proposal	1,700 square metres
Commercial Parking Ratio	3 spaces per 100 square metres of gross floor area Total: 66 parking spaces	Introduction of Shared Parking Rate of 0.25 spaces per unit for visitors, and commercial uses Total: 95 parking spaces
Visitor Parking Ratio	0.15 space/unit Total: 75 parking spaces	
Residential Parking Ratio	0.8 space/unit Total: 398 parking spaces	1.0 space/unit Total: 377 parking spaces

	Original Proposal	Revised Proposal
Assembly Hall Use	Not included in proposal	625 square metres 10 spaces/100 square metres of gross floor area Total: 63 parking spaces
Public Parking	200 spaces	Removed from proposal
Total Parking	739 spaces	535 spaces
Rooftop Private Amenity Area	Building 1 – Outdoor Courtyard: 1,258 square metres Building 2 – Green Roof: 335 square metres	Building 1 – 3 rd Floor Rooftop Amenity Area: minimum 368 square metres maximum 1523 square metres Building 2 – 3 rd Floor Rooftop Amenity Area: minimum 386 square metres maximum 1109 square metres
Publicly Accessible Ground Level Amenity Area (inclusive of all private lands, excluding the driveway/aisle and areas dedicated for Environmental Protection)	4,867 square metres	5,588 square metres



Ray Davies, RPP
Senior Manager, Real Estate Services

700 University Avenue, Toronto ON
M5G 1X6

416-592-1743

Ray.davies@opg.com

April 28, 2020

City of Pickering
City Development Department
One the Esplanade
Pickering ON L1V 6K7

Attention: Cristina Celebre, MCIP, RPP,
Principal Planner, Development Review

**Re: Official Plan Amendment Application OPA 19-001/P and Zoning By-law
Amendment Application A 05/19, Pickering Harbour Company**

Ontario Power Generation Inc. ("OPG") received a copy of a notice of revised applications submitted by Pickering Harbour Company to amend the City of Pickering Official Plan and a related zoning by-law amendment proposing a mixed-use development. The revised applications propose two buildings, having heights of 15-storeys containing a total of 377 residential apartment units with approximately 1,400 m² of grade-related commercial uses. The subject lands are located on the east side of Liverpool Road and south of Wharf Street, municipally known as 591 Liverpool Road. The lands located at 505 Liverpool Road (which are owned by the City of Pickering) have been removed from the applications.

In the revised submission, the applicant has indicated that "an exclusion zone prohibits permanent residential dwellings from being built and occupied, but does not prohibit a landowner from planning for the future use of their land once the exclusion zone has been removed from their land." The applicant further indicates that the applications would not necessarily intend the physical development of the lands at this time, as there are other municipal tools, such as a holding by-law, available that could be utilized to control the timing of the development of the lands.

OPG is not in support of this application, as it is premature in nature with respect to the exclusion zone. The comments submitted by OPG to the City on November 19, 2019 remain applicable with respect to the siting of residential uses within the 914 metre exclusion zone for the Pickering Nuclear Generating Station ("PNGS"). The applications propose changes to the Official Plan and zoning by-law that would introduce policies contemplating sensitive residential land uses within the existing federally regulated exclusion zone, which has been in place since 1971.

OPG will remain engaged on this application as an interested party, and requests to be notified when related agenda items are scheduled for Planning and Development Committee and/or Council meetings.

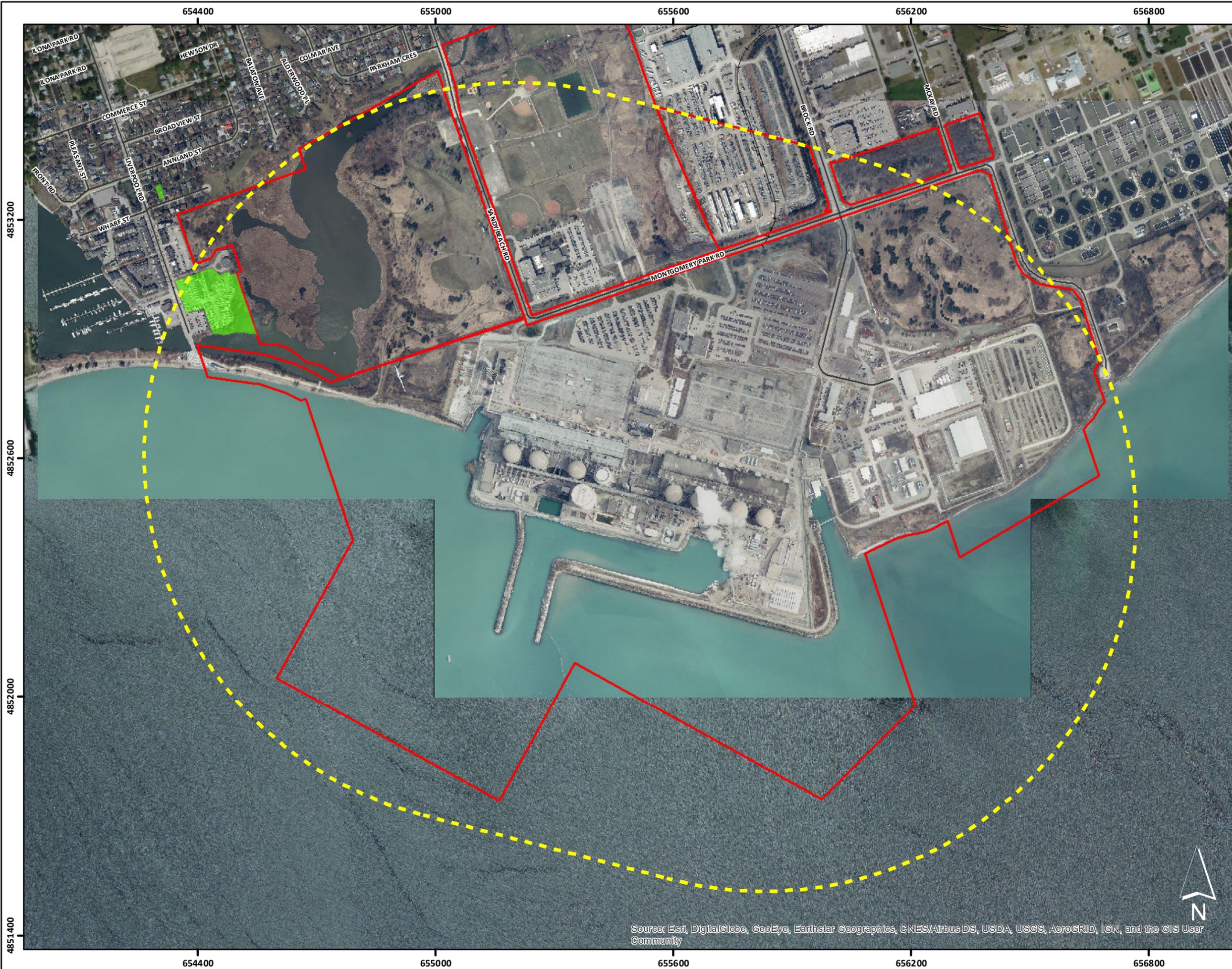
If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ray Davies". The signature is written in a cursive, slightly slanted style.

Ray Davies, RPP
Senior Manager

Copies: Mark Knutson, OPG, SVP, Pickering Nuclear Generating Station
Saad Haseen, OPG, Manager, Pickering Regulatory Affairs
Analiese St. Aubin, OPG, Manager, Stakeholder Relations
Laura Andrews, Canadian Nuclear Safety Commission



DISCLAIMER:
 © Ontario Power Generation Inc. 2020. This map has been produced and distributed for Ontario Power Generation Inc. purposes only. No part of this map may be reproduced, published, converted, or stored in any data retrieval system, or transmitted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without the prior written permission of OPG. The information on this map may not be accurate or up to date. OPG makes no representations or warranties, either express or implied, regarding this map. Any third party relies on the information in this map at its own risk and neither OPG nor any agent acting on OPG's behalf assumes any liability with respect to the use by a third party of this map. This map may contain data and other information sourced from Ontario Ministry of Natural Resources & Forestry and ESRI. This information is greatly acknowledged.



Legend

- OPG Ownership
- Application OPA 19-001/P & A 05/19
- Exclusion Zone
- Roads
- Railway



PICKERING NGS

ONTARIO POWER GENERATION Real Estate Services

date - yr/month/day 2020/06/24	requested by R. DAVIES	coordinate system NAD 1983 CSRS
scale 1:9,000	client group RES	zone UTM 17N
units Meters	designed by N. BRYAN	datum NA 1983 CSRS
electronic filename PickeringNGS_OPA19-001P_A0519_v01_2020-06-24.pdf	sheet 1 of 1	version 01

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





April 23, 2020

Ms. Cristina Celebre, MCIP, RPP
Principal Planner
City Development Department
City of Pickering
One The Esplanade
Pickering, ON L1V 6K7

The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

Dear Ms. Celebre:

**Re: Regional Comments on a Revised Application to Amend the
City of Pickering Official Plan**
File: OPA 19-001/P
Cross Ref: A 05/19
Applicant: Pickering Harbour Company Ltd.
Location: 591 Liverpool Road
City of Pickering

The revised application has been reviewed and the following comments are offered in addition to the Regional comments provided in letters dated October 28, 2019 and March 18, 2020.

The revised application proposes an amendment to the City of Pickering's Official Plan to designate the site as Mixed Use Area – Community Node, permit a maximum net residential density of up to 340 dwellings per hectare and a maximum Floor Space Index (FSI) of 4.4. This will facilitate the development of two, 15 storey buildings, containing a total of 377 units and approximately 1,400 square metres of grade related retail.

Durham Regional Official Plan

As noted in our October letter, the subject site is designated "Waterfront Areas" in the ROP. Lands located within the Waterfront Areas designation are intended to be developed as "people places", with the exception of significant natural areas.

The subject site is also identified as the Frenchman's Bay "Waterfront Place". Waterfront Places shall be developed as focal points along the Lake Ontario waterfront having a mix of uses, including residential, commercial, marina, recreational, tourist and cultural and community facilities. Where appropriate, Waterfront Places shall be planned to support an overall, long term density target of at least 60 residential units per gross hectare and an FSI of 2.0. The

"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

built form should be developed in a manner that is sensitive to the interface with the natural environment. The revised development appears to conform to the waterfront policies of the ROP.

Servicing

Municipal Sanitary Sewer Servicing and Water Supply

Comments related to municipal servicing were provided in the letter from October 2019. The revised information was reviewed and there are no additional comments.

Waste Management

The required waste management plan will be addressed by the Region at the site plan application stage.

Traffic Impact Study

The revised Traffic Impact Study (March 2020) was not reviewed by Regional Works staff, as comments were recently provided on the November 2019 TIS which have not been addressed. Once an addendum TIS is prepared which addresses the Region's most recent (March 2020) comments then it will be reviewed.

Transit

The revised application was reviewed from a transit perspective and Durham Region Transit (DRT) offers the following comments and recommendations:

- The turning radius and lane width of the entrance driveway to the site, must be of sufficient width to allow a specialized transit service bus the ability to travel along and around the entrance driveway.
- If there is a covered pick up / drop off area, it should be of sufficient height to allow a specialized transit bus to travel under the structure. DRT's specialized transit buses currently have a height of approximately 3.3 metres. DRT can provide additional information concerning canopy heights and access to the main doors of buildings.
- It is not clear how traffic will circulate through the site. The site plan identifies the access road, but no other indications of where the entrances to the towers are located.

The following comments are offered on the Traffic Impact Study

- Page 10: Route 193 does not operate in the PM peak. Route 101 does not operate in the AM peak. Only the 101A. Route 110 operates every 30 minutes in the AM peak. There is no 10 minute service period.
- Page 60: The looping of a DRT bus through a parking lot, as shown on Page 60 is not possible. DRT does not operate buses through parking lots in this fashion and has been modifying service where this was occurring.
- It is recommended that a turn around loop be included at the south end of Liverpool Road, to allow possible bus service to turn around.

As noted above, a TIS Addendum Report should be submitted to the Region for review.

Please contact the undersigned with any questions or concerns.

Yours truly,

Lori A. Riviere-Doersam

Lori Riviere-Doersam, MCIP, RPP
Principal Planner

c.c. Lino Trombino, Planning Division
Pete Castellan, Regional Works
Christopher Norris, Durham Region Transit
Mike Pettigraw, The Biglieri Group



March 18, 2020

Via Email only

The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

605 ROSSLAND RD. E.
4TH FLOOR
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-666-6208
Email: planning@durham.ca

www.durham.ca

Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

Ms. Cristina Celebre, MCIP, RPP
Principal Planner
City Development Department
City of Pickering
One The Esplanade
Pickering, ON L1V 6K7

Dear Ms. Celebre:

**Re: Regional Comments on an Application to Amend the
City of Pickering Official Plan**
File: OPA 19-001/P
Cross Ref: A 05/19
Applicant: Pickering Harbour Company Ltd.
Location: 505 & 591 Liverpool Road
City of Pickering

Please find attached Regional comments on the November 2019 Traffic Impact Study for the above-noted application. If you have any questions, please let me know.

Yours truly,

Lori A. Riviere-Doersam

Lori Riviere-Doersam, MCIP, RPP
Principal Planner

Attach: Traffic Impact Study comments

c.c. Pete Castellan, Regional Works
Melinda Holland, The Biglieri Group



If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.



INTEROFFICE MEMORANDUM

To: Lori Riviere-Doersam, MCIP, RPP
Principal Planner

From: Peter Castellan
Development Approvals Division

Date: March 16, 2020

Re: **Review of Updated Traffic Impact Study - HDR**
Zoning By-law Amendment Application A05/19
Local Official Plan Amendment OPA 19-001/P
Applicant: Pickering Harbour Company Limited
591 Liverpool Road
City of Pickering
Our File: 2019-P-011

The Regional
Municipality
of Durham

Works Department

605 ROSSLAND ROAD
PO BOX 623
WHITBY ON L1N 6A3
CANADA
(905) 668-7711
Fax: (905) 668-2051
E-mail:
works@durham.ca

www.durham.ca

Susan Siopis, P. Eng.
Commissioner of Works

The Region of Durham Works Department has reviewed the above-noted zoning amendment and official plan amendment applications and offers the following comments.

The above-noted report by HDR (the consultant) is an updated submission to a May 2019 report that was previously reviewed and commented on. The current report was accompanied by a separate 10-page document prepared by the consultant that summarizes how the previous comments have been addressed. This new information has been reviewed by staff from the Transportation Infrastructure, Planning and Traffic Engineering and Operations Divisions with assistance from Paradigm Transportation Solutions Ltd. The Traffic Impact Study (TIS) has been done in support of the redevelopment of Frenchman's Bay Marina at the foot of Liverpool Road in Pickering for residential (498 condominium units) and commercial uses (1,900 SM gross floor area). The site would include 739 parking spaces, which consists of 539 spaces for the residential and commercial uses and 200 spaces for the use of the general public. The proposed public parking supply represents a net addition of 128 public parking spaces since there is an existing public parking lot with 72 spaces.

The focus of this review is on how the consultant addressed the previous comments and the related additional technical content in the updated study.

Our major findings can be summarized as follows:

- While the consultant has addressed most of the previous comments satisfactorily, there are some remaining technical areas of the report that should be improved.
- The updated report does not contain detailed on-site peak period observations of existing traffic operations and the base year data for "existing conditions" is now approaching three years old.

- The consultant's identified potential improvement to the southbound approach of Liverpool Road at Bayly Street is not acceptable to Region staff.
- The basis for the consultant's recommendation for a new traffic signal at the Liverpool Road/Krosno Boulevard intersection is not acceptable to Region staff. As well, alternatives to signalization have not been fully explored as requested in the initial set of comments.

Given these findings, we will require the submission of an Addendum letter to address the above general findings and the detailed comments provided below.

Our detailed comments on the response comments and the updated report are as follows:

1. Existing Conditions Analysis:

- The report notes in Section 2.2 that the nearest transit stop during peak hour has changed recently due to DRT service alterations. The report should clarify where the nearest bus stop is to the subject site on and off of peak hour and display their location on the map in Exhibit 3.
- The presentation of operational results, which now includes the overall v/c ratio and Level of Service, is now satisfactory.

There are still no documented observations of existing operations that can be related to the operational assessment. Traffic observations during the peak periods are a requirement of the Region's TIS Guidelines. The consultant's responses are vague, i.e. they state that AM and PM peak hour observations were conducted (presumably as part of the original work) and, "... we did not note any major issues other than what was already documented under existing conditions" and, "We will document in future versions of the report if additional field observations are carried out" and, "We visited the study area again during October 2019 and there was no congestion/operational issues." Given the known peak period operational issues that can occur at the Liverpool Road/Bayly Street intersection as related to the proximity to the Pickering GO station, it would be beneficial to include detailed field observations that could be related to the technical results produced by the operational analysis. This additional commentary would provide increased confidence that the consultant understands the local context and has accounted for it in the interpretation of their analysis results. For example, the consultant notes that the analysis shows some hourly volume demands at this intersection exceeding the capacity, which they say is not theoretically possible. This is better stated that the volume demands recorded in the traffic counts exceed the theoretical capacity. A finding like this could be supported by observations of more aggressive driving (e.g. higher than typical volumes of left turn movements occurring during clearance intervals) as well as the extra pressure for drivers to react more quickly and/or follow more closely that can be created by extensive and regular queuing on each cycle.

A finding like this could be supported by observations of more aggressive driving (e.g. higher than typical volumes of left turn movements occurring during clearance intervals) as well as the extra pressure for drivers to react more quickly and/or follow more closely that can be created by extensive and regular queuing on each cycle.

- Satisfactory clarification has been provided to better explain the gap studies done on Liverpool Road at Tatra Drive and Radom Street as well as the qualitative Level of Service analysis results for bicyclists and pedestrians.
- While not commented on previously, we note that the base year data for this study was collected in June 2017. The Region's Traffic Impact Study Guidelines require traffic data for impact studies to be no more than one year old. The consultant should obtain the most recent available traffic data and/or collect new traffic data at key intersections such as Liverpool Road/Bayly Street and Liverpool Road/Krosno Boulevard for comparison with the 2017 data. Since the consultant is recommending signalization of the Liverpool Road/Krosno Boulevard intersection, eight hours of traffic data should be collected for a typical weekday and Saturday in order to conduct a comprehensive signal justification analysis.

2. Background Traffic Forecasts:

- Information for two background developments has now been included in an Appendix and is satisfactory.
- The explanation provided for why turning movements would experience no growth is acceptable (i.e. mature corridor, historical trends, etc.).

3. Background Traffic Analysis:

- The consultant continues to suggest that the Region could realign the southbound left turn, through, and right turn lanes at the Liverpool Road/Bayly Street intersection to extend the southbound left turn storage. Region staff remain concerned that the proposed changes would result in weaving conflicts similar to what occurs on southbound Simcoe Street between Highway 407 and Winchester Road, and therefore, cannot support this suggestion. The consultant's response that the Region's concerns and alternatives are to be discussed is unclear since the identified storage constraints are not specifically related to this development.

4. Proposed Development Traffic Generation:

- The presentation of trip generation for the expansion of the public parking lot has been clarified and is now satisfactory.
- Other minor errors related to the proposed residential and commercial development trip generation have been corrected and it is now satisfactory.

5. Total Traffic Analysis:

- Liverpool Road/Krosno Boulevard is a T-intersection that currently operates under all-way stop control. As part of supporting the consultant's recommendation for signaling this intersection to accommodate 2027 total traffic forecasts, the consultant has now provided the previously omitted "1-hour signal warrant" in Appendix E of the updated study. This analysis was intended to follow Ontario Traffic Manual (OTM) Book 12 and specifically "Justification 7 – Projected Volumes", however, the consultant uses the 2027 PM peak hour traffic forecast as input to the analysis rather than the average hour as prescribed in OTM Book 12. As well the PM peak hour traffic volumes in this analysis are slightly different than the 2027 forecasts shown in Exhibit 13 in the report, including the addition of some movements to and from the west despite this being a T-intersection with no west leg.
- The average hour should be derived by dividing the AM plus PM peak hour volumes by four, or where only one peak hour forecast is available, dividing the available peak hour by two. Even with the use of double the volume that should have been input into the analysis, the consultant found that the signal justification criteria would not be met.
- Since all traffic signals are operated by the Region regardless of road jurisdiction, there is a significant Regional interest in new signals. The original staff comment was that the need for signalization was not clearly demonstrated and no other improvement alternatives were considered. Without the support of OTM Book 12 signal justification criteria, the consultant's recommendation for signalization is based on their operational analysis of 2027 PM peak hour total traffic forecasts, which showed that the southbound single lane approach would have a poor level of service (F) and would exceed the theoretical capacity (v/c 1.17). The consultant attempts to address the comment about alternatives by stating there is insufficient public right-of-way available at this intersection to accommodate either a roundabout or the addition of an exclusive left turn lane without reducing boulevard widths. This rationale is unclear considering that boulevards are within the public right-of-way.
- The Region does not agree with the recommendation for traffic signals based on the information provided. As noted previously, it would be beneficial to update at least some of the base year traffic data and this should include an 8-hour traffic count on a weekday and a Saturday to provide the basis for a comprehensive signal justification analysis. As noted in OTM Book 12, eight hour projections are the preferred approach. The alternatives to signalization should be explored more fully and could include examining whether the current all-way stop control is warranted following the OTM Book 5 "Regulatory Signs" analysis and criteria since this form of control is a constraint on north-south capacity.

Assuming signalization would not be warranted, functional design drawings for alternatives that could accommodate the forecasts at a good level of service and within capacity in all peak hours should be prepared to determine whether property would be required outside of the public right-of-way.

6. Traffic Demand Management Measures:

- It is encouraging to see that a minimum of 25% of the bicycle parking spaces on site will be secure, indoor bicycle parking. However, the remaining on-site bicycle parking should be covered wherever possible. This section should also note the percentage of bicycle parking at-grade.
- The consultant clarifies that the walk time to the Pickering GO station, which was previously stated as 28 minutes (approximately two kilometres), was intended to indicate that some residents could walk to the station. Based on information in OTM Book 15 "Pedestrian Crossing Treatments", where it is stated that threshold for walking trips to a destination is approximately 1.6 kilometres, we note that the potential for walking trips to the station would be low. This suggests that in terms of vehicle trip reduction, the emphasis should be on modes other than walking.
- Similar to the comment for Section 2.2 above, this section should provide more detail on distance to the nearest transit stops. For example, consider adding a column to the table in this section showing the walking distance to the nearest stop for each transit route listed.
- It is very encouraging to see that most of the resident parking will be unbundled from the sale of the units; this encourages alternative modes and makes the hidden cost of driving more visible to occupants. In addition, consider organizing transit or cycling information packages or displays for residents upon purchase, to illustrate other available modes of transportation.
- The consultant notes in the response document that their client's commitment to the various TDM measures outlined in the report will be discussed with Region and City staff outside of the scope of the traffic study. This is generally acceptable given that the consultant's trip generation estimates, and assessment of traffic impact, didn't rely on any potential trip reductions due to TDM.

Yours truly,



Peter Castellano
Development Approvals Division



April 20, 2019

CFN 60787.01

VIA E-MAIL ONLY

Cristina Celebre, MCIP, RPP
Principal Planner, Development Review
City of Pickering
City Development Department
One the Esplanade
Pickering, ON L1V 6K7

Dear Ms. Celebre:

**Re: Official Plan Amendment OPA 19-001/P
Zoning By-law Amendment Application A 05/19
505 and 591 Liverpool Road
City of Pickering
Pickering Harbour Company Ltd.**

Thank you for the opportunity for TRCA to review the following materials received on March 19, 2020 in connection with the above referenced applications:

- Cover Letter, prepared by Biglieri Group, dated March 11, 2020;
- Infographic, prepared by Biglieri Group;
- Conceptual Site Plan, prepared by Biglieri Group, Revision 1, revised March 10, 2020;
- FSR, prepared by SKA, dated March 10, 2020;
- EIS, prepared by Beacon, dated March 2020.

Staff has reviewed the revised applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014); as a regulatory authority under Ontario Regulation 166/06; and under our Partnership Memorandum (2011) with the Region of Durham regarding the requirements for and adequacy of studies which assess impacts of and propose mitigation measures to the natural heritage system and hydrologic features, and stormwater management. The applications have also been reviewed through our role as a public body under the Planning Act as per our CA Board-approved Living City Policies. We offer the following comments:

Our Understanding of the Revised Proposal

We understand that the revised proposal no longer includes lands owned by the City of Pickering and now consists of a mixed-use development including two 15-storey buildings containing a total of 377 apartment units, approximately 1,400 square metres of grade related commercial space and public uses (pedestrian promenade, boardwalk and assembly hall/event space), and indoor boat storage. The buffer between the wetland and the limit of development has been increased and the pedestrian park and bridge over Frenchman's Bay removed from the visioning exercise. An OPA is required to change the Natural Area and Marina Area designation to Mixed Use – Community Node (amongst other changes), and to re-zone to Community Node ("CN") and lift the Holding Designation.

We offer the following comments using the same numbering scheme as our letter of August 26, 2019:

Natural Hazards

1. As mentioned in our letter to the City and copied to the applicant on August 26, 2019, an appropriate Shoreline Hazard Study must be completed. While some discussions have occurred between the applicant and TRCA, the extent of shoreline hazard that may impact this site has not been determined. This matter needs to be resolved before TRCA can consider the application further.
2. Comment addressed, thank you. The preliminary grading plan shows proposed minimum east and south grade elevations at 76.92 masl - well above the required 76.26 masl floodplain elevation plus 0.3m freeboard.

Natural Heritage

3. Section 2.1.8 of the PPS states that "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions". TRCA's Living City Policies are designed to implement the PPS. A 30 metre naturalized buffer from the Provincially Significant Frenchman's Bay Coastal Wetland Complex (identified in Section 2.1.4 of the PPS) is required under the LCP.

The revised proposal includes a variable fully vegetated buffer of 24.1 m to 38.0 m from the PSW with an overall buffer area of 0.53 ha. This buffer area is marginally smaller, 137 m² (0.01 ha), than the area of 0.54 ha that would be provided by a continuous 30 m buffer; however, TRCA staff agree that the increased ecological function within the buffer along with the restoration opportunities identified in the EIS (removal of buttress, fencing within the PSW) will mitigate this deficit. We also agree that bird friendly design should be included in the design. This comment is addressed subject to securing the restoration opportunities through the planning process.

4. Revised Drawing No. L1-01, Landscape Master Plan, illustrates that the proposed buffer to the PSW will be fully renaturalized, and the buffer and the remaining natural features placed in an open space block. The proposed buildings located above-grade appear adequately set back from this open space block; however, there is no indication where the underground parking is to be located. The underground parking shall be located a minimum 3 metres from the open space block to allow for future maintenance. This comment is addressed subject to conveying the open space block into public ownership for long term protection through the planning process, and ensuring that the implementing ZBA includes a minimum 3 metre setback from the open space block for any above or below-grade structures.

Our previous comment regarding the exceedances at BH14 remains valid. Further discussion as to the future landownership should take place with TRCA and the City of Pickering.

5. Comment addressed. Additional information was provided.

Stormwater Management

6. Comment addressed. Conceptual LIDs have been identified.
7. Comment addressed. Catchbasin shields, OGS and bioswales are proposed as part of a treatment train approach for water quality.
8. Comment addressed. Green roofs and bioswales are proposed to achieve 5mm on-site retention.

Hydrogeology

9. No response necessary. Advisory only.

Recommendation

Given the above comments, it is the opinion of the TRCA that:

- An appropriate Shoreline Hazard Study must be provided to identify the location of the shoreline hazard on or near the site prior TRCA being able to comment further. Consistency with Section 3.1 of the PPS and the TRCA Living City Policies has not been demonstrated as the location of the shoreline hazard has not been identified.
- Ontario Regulation 166/06 applies to the site. A permit from TRCA will be required prior to any development taking place. TRCA staff cannot determine whether a permit application would be supported without an appropriate Shoreline Hazard Study.

We recommend that the applicant work with TRCA to provide an appropriate Shoreline Hazard Study for review. If the shoreline hazard limit plus the 10 metre buffer from that limit is outside of the currently proposed development limit then TRCA can support the proposed development with conditions. If the shoreline hazard limit is within 10 metres of the proposed development limit then the development limit will need to be revised.

We trust these comments are of assistance. Please feel free to contact me if you have any questions.

Sincerely,



Steven Heuchert, MCIP, RPP, MRTPI
Associate Director, Development Planning and Permits
Development and Engineering Services
Ext. 5311

- cc. Lino Trombino, Region of Durham
Irina Marouchko, City of Pickering
Melinda Holland, The Biglieri Group
Nancy Gaffney, TRCA
Jill Attwood, TRCA



Memo

To: Cristina Celebre
Principal Planner – Development Review

May 19, 2020

From: Richard Holborn
Director, Engineering Services

Copy: Division Head, Water Resources & Development Services
Manager, Capital Projects & Infrastructure
Manager, Development Services
Project Manager, Development Approvals

Subject: Official Plan Amendment OPA 19-001/P – Submission 2
Zoning By-law Amendment A 05/19
- Pickering Harbour Company Ltd.
- 505 & 591 Liverpool Road
File: D-3100

The Engineering Services Department has reviewed the materials submitted in support of the above noted applications, and offer the following comments:

Please ensure the next submission includes a letter re-stating the City's comment followed by an appropriate response, immediately afterwards, outlining how the proponent addressed the comment.

Development Services

General Comments

1. No comments.

Conceptual Site Plan

2. It is unclear how the proposed driveway will function with the existing Region of Durham driveway immediately adjacent to it. The current location will also necessitate relocation of the existing hydro transformer. This has not been addressed from our previous comment.

Functional Servicing Report

3. Given the high groundwater table and proposed underground parking, the Functional Servicing Report (FSR) should address a foundation drainage strategy, supported by preliminary calculations, detailed geotechnical and hydrogeological investigations. Please note that discharge of foundation drainage to the City's storm sewer system will not be allowed.

Capital Projects

General Comments

1. No comments.

Landscape Comments

The following Landscape Comments shall be addressed at the detailed site plan design stage:

2. There seems to be a lot of hard surface area on site. Consideration should be made to increase the amount of soft landscaping.
3. Trees are proposed to be planted on grade with tree grates. Consider using raised planting areas, particularly over the parking garage, in order to provide sufficient soil depth for the root zone.
4. If the outdoor space being planned for programmed activities/events, outdoor café's/eating areas, etc. for commercial or residential use, provide a narrative on how the proposed landscaping will accommodate these activities.

Traffic Impact Study

5. In the revised traffic study, the consultant is proposing to maintain the existing parking lot, at the bottom of Liverpool Road, to use as a turn around, for Durham transit and other vehicular traffic. The peer review consultant noted that Durham Transit has already stated that they do not agree to the utilization of the parking lot for turnaround of public transit vehicles. The City agrees with DRT's position and does not support the proposed use of the parking lot for turnaround of public transit vehicles and other public traffic other than parking lot users.
6. Page 53 – The report recommends installing a new traffic signal at Krosno Boulevard/Liverpool Road. With the traffic signal installation, the 95th percentile queue will be increased to 125m for PM peak, for 2032. This will increase the intersection delay and will block the Haller Avenue access. A functional plan for the dedicated southbound left lane should be prepared for the City review.
7. Page 62 - As per the report, the southbound left turn queue at Liverpool Road/Bayly Street will exceed the available storage length. This intersection is under the jurisdiction of the Region of Durham. As such, the Region will provide comments for this intersection.
8. We concur with the comments identified in the Technical Review letter by Paradigm, dated April 13, 2020.

Water Resources Comments

1. No comments.


PH/ro

PICKERING HARBOUR REVISED PROPOSAL URBAN DESIGN OPINION REPORT - MAY 2020

SUBMITTED BY:

ROBERT FREEDMAN *FRAIC AICP*
Principal FUSL
50 Park Road
Toronto, Ontario M4W 2N5

May 11, 2020 (Revised June 25, 2020)

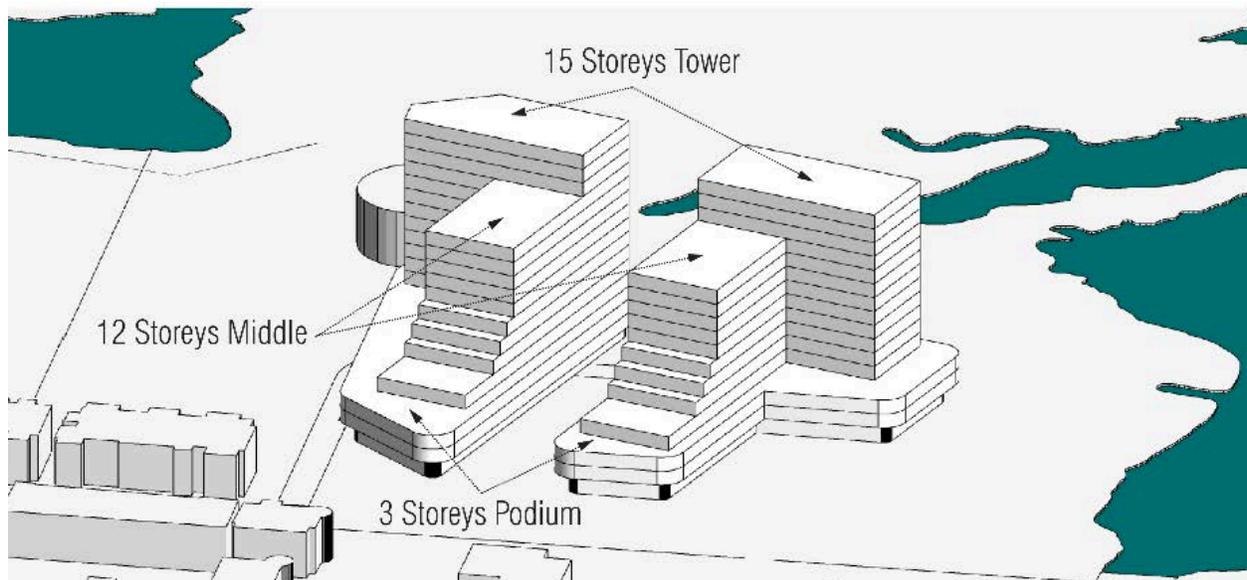


Image: The Biglieri Group Ltd - March 2020

1.0 INTRODUCTION:

1.1 Objective

The overall objective of this work is to review the revised application for 591 Liverpool Road (the “Subject Site” or the “Site”) and provide my urban design assessment and opinion regarding policy and contextual fit and impacts on the surrounding neighbourhood.

1.2 Background

Original Proposal – April 2019

The Applicant (Pickering Harbour Company Ltd.) had applied in April 2019 for approval of an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) for a proposed mixed-use development on a site for 505 and 591 Liverpool Road, consisting of two buildings with heights of 23 storeys containing a total of 498 apartment units with approximately 1,900 square metres of grade related commercial uses and a pedestrian promenade through the middle of the site and a public boardwalk along the south and east edges.

Revised Proposal – March 2020

The Applicant has, through their Planning Consultant The Biglieri Group Ltd (TBG), revised their proposal based on feedback from public and technical comments received throughout the planning process. The revisions to the Application include the following:

1. Removal of the City’s Lands (505 Liverpool Road) from the Application for a reduction in Site Area of 2,600 square metres (sm);
2. An increase in the environmental buffer adjacent to the waterfront, which reduces the Net Developable Area from 1.46 hectares to 1.11 hectares (ha);
3. A reduction in the ground floor area of both buildings from 9,085 sm to 4,835 sm;
4. A reduction in the total GFA from 58,174 sm to 48,132 sm, with an increase in FSI from 3.98 to 4.34;
5. A reduction in the proposed number of units from 498 to 377 while maintaining the proposed density of 340 units per hectare (u/ha);
6. A reduction in the height of the towers from 23 storeys to 15 storeys;
7. A relocation of the proposed Boardwalk outside of the environmental buffer area;
8. A widening of the central pedestrian promenade from 20 metres (m) to 26m through a 3 m inset of the ground floor of both buildings;
9. An increase in the site area dedicated for public open spaces and use to 56% from 38%;
10. A reduction in the commercial area from 1,900 sm to 1,400 sm
11. The addition of a new 625 sm Public Assembly/Event Hall to the ground floor of the south building;

12. The addition of an indoor boat storage area to the ground floor of the north building;
13. A reduction in the total amount of parking from 539 spaces to 535 spaces and the removal of the 200 public parking spaces proposed in the original concept.

1.3 Summary Opinion

The Revised Proposal, although reduced in its massing and height from the Original Proposal, is still too large, too tall and not of a form that is compatible with, or complementary to, the surrounding context.

The City of Pickering has established areas in the municipality where higher density development is appropriate and welcome – such as the Urban Growth Centre and Anchor Mobility Hub surrounding the GO Station. However, the Bay Ridges Neighbourhood, and particularly the Liverpool Road Waterfront Node, at the south end of the neighbourhood surrounding the Subject Site, has not been identified in the Official Plan (OP) as appropriate for intensification.

The Site is located at foot of Liverpool Road, which is classified in the OP as a Local Road (below Annland Street). There is no higher-order transit in this area, which is only serviced by two bus routes with relatively infrequent service. The GO station is located over 2 km away. A typical transit walking distance is considered to be approximately 800 m, which means that the GO station is located approximately 2-½ times the distance that the average person is prepared to walk. The neighbourhood surrounding the Subject Site (the Site) consists primarily of low-rise, 1- to 3-storey detached houses and townhouses arranged along a typical grid of streets and blocks. The location of the Site, at the bottom-end of a low-rise neighbourhood and far from higher-order transit, does not make it a good or appropriate location for high-density, tall development.

In terms of its built form, the Revised Proposal is inappropriate for this location because even with the proposed reduction in height, GFA and massing, it still does not fit into, reinforce or enhance the character of the surrounding neighbourhood as required by several Official Plan policies and as recommended in the Liverpool Road Waterfront Node Development Guidelines (the “Waterfront Node Guidelines” or the “Guidelines”). These policies and guidelines speak to the importance of new development fitting into the neighbourhood context in terms of height, built form, scale and even architectural character. The Waterfront Node Guidelines speak to development fitting into the surroundings with a particular emphasis on the area’s nautical heritage.

The Urban Design analysis section of this report reviews the Revised Proposal and assess its contextual fit and compatibility with the surrounding neighbourhood context using a number of urban design attributes — including height, density, massing and scale — and then goes on to examine the impacts of the Proposal on the neighbourhood. My conclusions from this analysis include the following:

- **Height:** The Revised Proposal, at 15-storeys (approximately 46.5 m – down from 29 storeys or 70.5 m), is still close to four times taller than the tallest buildings in the neighbourhood. This excessive height is an issue not only because it does not fit into or enhance the neighbourhood context, but also because it leads to other negative impacts including overlook and compromised privacy.
- **Density:** The developable area of the Subject Site is 1.11 hectares, which is 13% smaller than for the Original Site at 1.46 hectares. The Revised GFA has been reduced but with the smaller site the density remains the same at 340 units/net residential hectare (u/nrh) while the Floor Space Index increased from 3.98 to 4.34 FSI. The density and FSI far exceed the 140 u/nrh and 2.5 FSI permitted under the OP Mixed Use Community Node land use designation – a designation that the Applicant is seeking as part of their Official Plan Amendment. (The current OP land use designation is Open Space: Natural Areas and Marina Areas, which promotes primarily open space, recreation and marine related uses.)
- **Massing & Scale:** Contrary to the City’s OP policies and the Waterfront Node Guidelines, the Revised Proposal is a scaled down version of the Original Proposal and it does not take its cues from the surrounding neighbourhood context in terms of building massing or the way in which buildings relate to the site and to other buildings in the area. The Revised Proposal continues to introduce a new, podium-tower built form within a large block that is not subdivided by any inter-connected public or private roads. This new urban form makes little effort to fit harmoniously into the existing neighbourhood.
- **The Negative impacts** that will result from the Revised Proposal include:
 - neighbourhood character disruption;
 - creation of a negative development precedent;
 - overlook and loss of privacy;
 - loss of views to the waterfront from the surrounding neighbourhood;
 - shadowing of the Site’s proposed pedestrian promenade and surrounding open spaces;

Despite the reduction in the scale and height, for all of the reasons stated above, the ZBA and OPA should not be approved and the Revised Proposal should not be permitted to proceed in its current form. The Subject Site is, in my opinion, suitable for a residential development – but only at a more modest scale and height and with more concerted efforts made to fit harmoniously within the neighbourhood context.

2.0 DESCRIPTION OF THE SITE AND SURROUNDING AREA

2.1 The Revised Site

The Revised Site is located at 591 Liverpool Road in Pickering and has a total developable area of 1.1 ha – a reduction of about half a hectare from the Original Site, which included the City-owned parking lot at 505 Liverpool Road. The developable site area takes into account mandatory setbacks from Liverpool Road and the waterfront/Hydro Marsh. The Site is currently occupied by the Frenchman’s Bay Marina Office and a boat storage yard.



Subject Site 591 Liverpool Road

2.2 Surrounding Context:

North:

- Immediately to the north of the Site, on the east side of Liverpool Road, is a row of townhouses that are part of the Nautical Village residential development that consists of three-storey, live-work units with a surface parking in the rear to the east.
- The Nautical Village extends on the west side of Liverpool road with two- and three-storey townhouses. The Village has a nautical theme that reflects the area’s heritage. The townhouses along Liverpool Road are mixed-use are designed with at-grade entrances to facilitate retail, personal service commercial and office uses on the first floor.



Subject Site in context

(Image: DTAH/FUSL)

- Northeast of the Site is a Pumping Station, owned and operated by the Region, and Alderwood Park. The Pumping Station is accessed via a driveway, just to the north of the Subject Site, that runs east-west from Liverpool Road.
- Further north is the southern part of the Bay Ridges Neighbourhood – consisting primarily of by low-density, single, detached houses ranging in height from 1 to 3+ storeys – including some recently constructed houses at 3 storeys (up to 12.5m)
- Further to the northwest is an older neighbourhood (also part of Bay Ridges Neighbourhood) which consists primarily of low-density, single, detached houses – including some recently constructed houses on Pleasant/Annland Street and Commerce Street (Historic Village of Fairport).
- To the north of the Subject Lands and west of Front Road, is waterfront park known as Progress Frenchman's Bay East Park.
- The Pickering GO station is located approximately 2.25 km to the north.



Subject Site in context looking north up Liverpool Road from over Millennium Square

(Image: Google Maps)



Subject Site in context looking south down Liverpool Road to Lake Ontario

(Image: Google Maps)

South:

- To the south of the Site is Lake Ontario and the City Boardwalk along Pickering Harbour, and Millennium Square.

East:

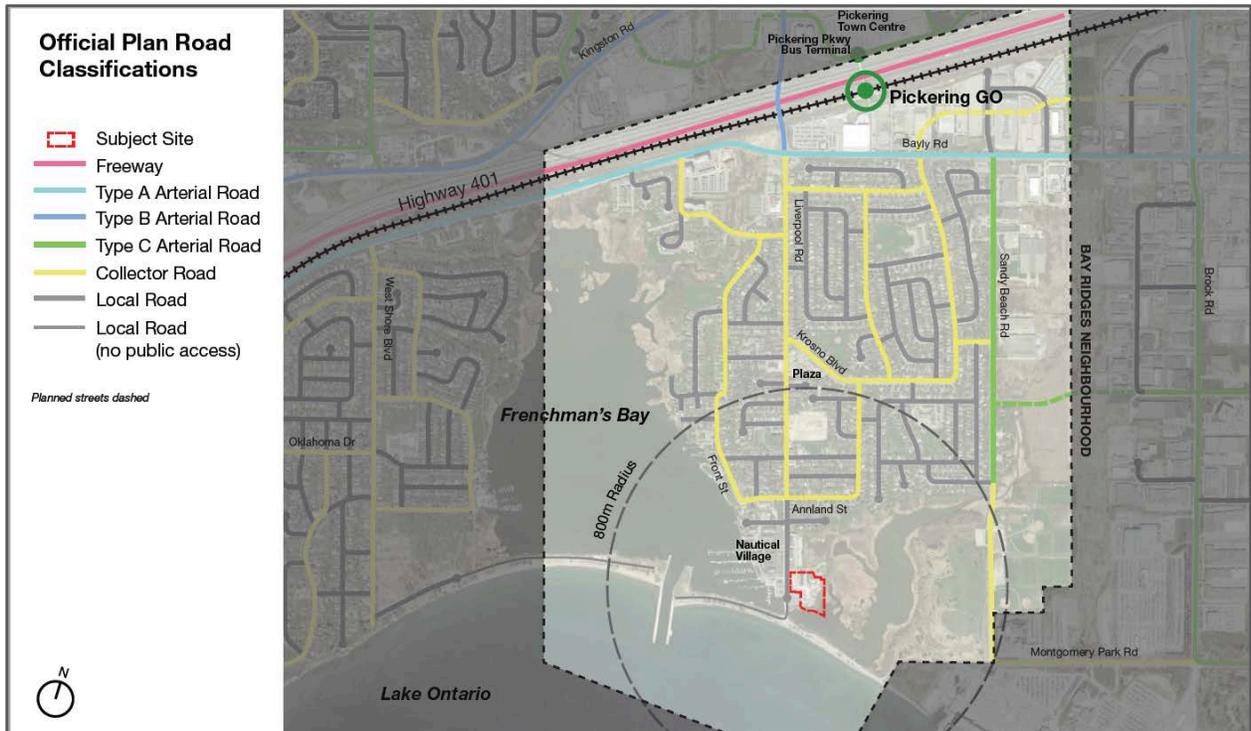
- To the east is a Wetland associated with the Frenchman's Bay Wetland Complex, Krosno Creek and Alex Robertson Park.
- Further southeast is the Pickering Nuclear Generating Station owned and operated by the Ontario Power Generation.

West:

- To the west of the Site on the other side of Liverpool Road is Tenkey Marina, surface parking and an entrance driveway to the Frenchman's Bay Marina.
- Further west is Frenchman's Bay.
- In this area of Frenchman's Bay there are boat docking facilities located along the eastern edge of the Bay.

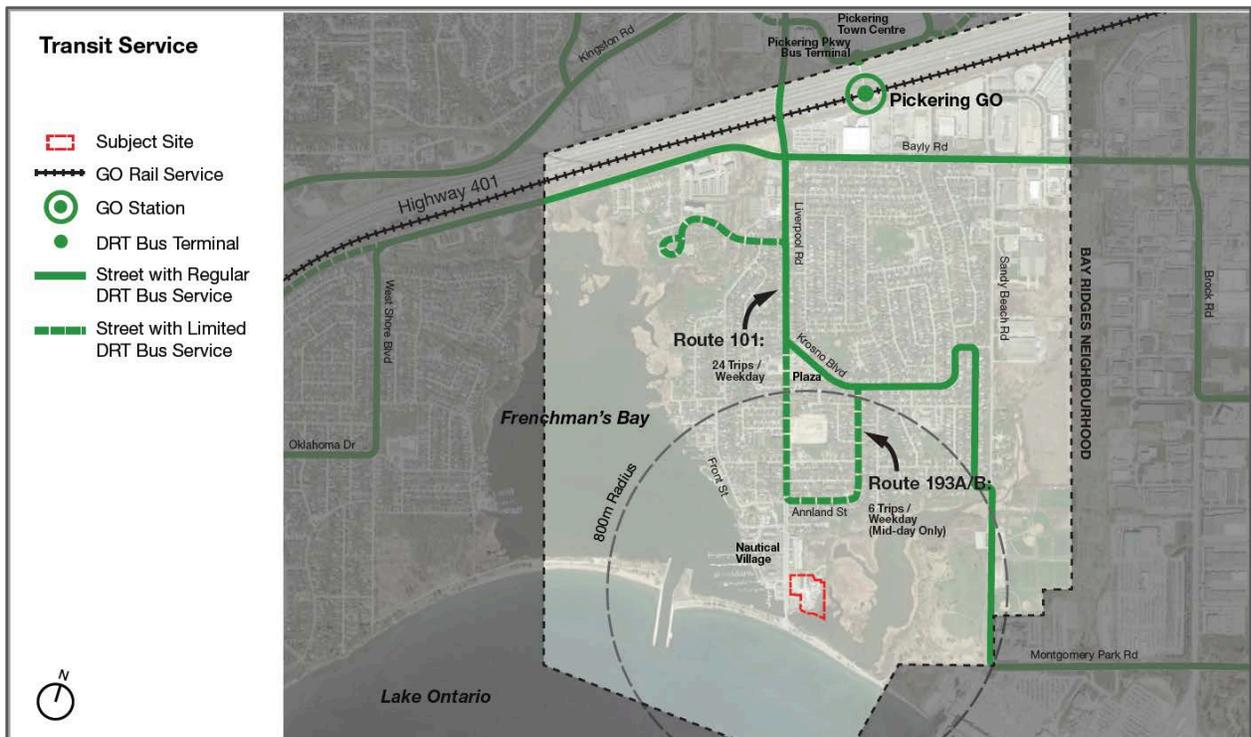
2.3 Transportation Network

The Subject Site is located at the foot of Liverpool Road, a north-south Local Road that becomes a Collector Road above Annland Street (per OP Schedule II). Closer to the 401 Highway, Liverpool Road connects to Bayly Street, which provides east-west Regional access as well as access to the 401. The Site is within walking distance to Durham Regional Transit (DRT) bus lines of 193 and 101. Line 193 loops at Annland Street and runs only 6 times per weekday. Route 101 turns off Liverpool Road at Krosno Road. The Site is not connected to or within convenient walking distance to any higher-order transit services. The Site is about a 6-7 minute drive, 10-minute bus-ride (not including wait times), 8-minute bike-ride and 25 to 35 -minute walk to the Pickering GO Station. The GO Station provides regional and provincial transit connections.



Official Plan Road Classifications

(Image: City of Pickering & DTAH)



Transit Service

(Image: City of Pickering & DTAH)

3.0 THE REVISED PROPOSAL

3.1 Revised Proposal Overview

The Revised Proposal for 591 Liverpool Road calls for approval of an Official Plan Amendment and a Zoning By-law Amendment to permit a mixed-use development with two structures—each consisting of a ground-related base building topped by a tower. Both buildings are now 15-storeys or approximately 46.5 m (down from 23-storeys or approximately 70.5 m) in height. The base buildings step up from 3- to 4-storeys with the two L-shaped towers stepping up from 5- to 7-storeys and then from 8- to 12-storeys and ultimately to 15-storeys along the east side of the site. The two buildings are separated by a commercial, pedestrian-oriented promenade that bisects the site and provides views through the site to the water. In total the Proposal contains 377 apartment units (down from 498) with approximately 1,400 sm of grade related commercial uses (down from 1,900 sm). A new 625 sm Public Event Hall is now proposed within the ground floor of the southern building and an indoor boat storage area is proposed for the north building.

The Revised Proposal also includes a publicly accessible boardwalk along the south and east sides of the Site – now set further back from the waterfront than the original proposal. The revised design now proposes a 3 m inset on the ground floor around the edges of both buildings, which is intended to widen the public space and provide shelter from the sun, wind, and rain and to permit access around the building within the permitted development limit. The area between the edges of the Proposed Building and the Boardwalk include a number of different landscape treatments including hard and planted surfaces as well as shrubs, trees and seating. While it appears that the Boardwalk does not circle the entire site – the ground floor insets seem to allow pedestrians to circumnavigate the property.

In terms of parking, the Revised Proposal includes a total of 539 parking spaces, (down from 579 spaces in the original proposal - and removing the proposed 200 public parking spaces that were to replace and add to the 72 public parking spaces on the City-owned parking lot at 505 Liverpool Road, which has been removed from the Proposal).

The total developable area of the Subject Site 1.11 ha (down from 1.46 ha in the original proposal). It is important to note that the Toronto and Regional Conservation Authority (TRCA) asks for a 30 m setback from the shoreline -- compared to the original proposal that showed a setback of 20 m). The TRCA also requires a shoreline hazard limit plus a 10 m area that would need to be an open space block conveyed to public ownership

The total GFA proposed is approximately 48,132 sm (down from approximately 58,174 sm). Despite the reduction in GFA, because the revised Site is smaller than the Original Site, the total

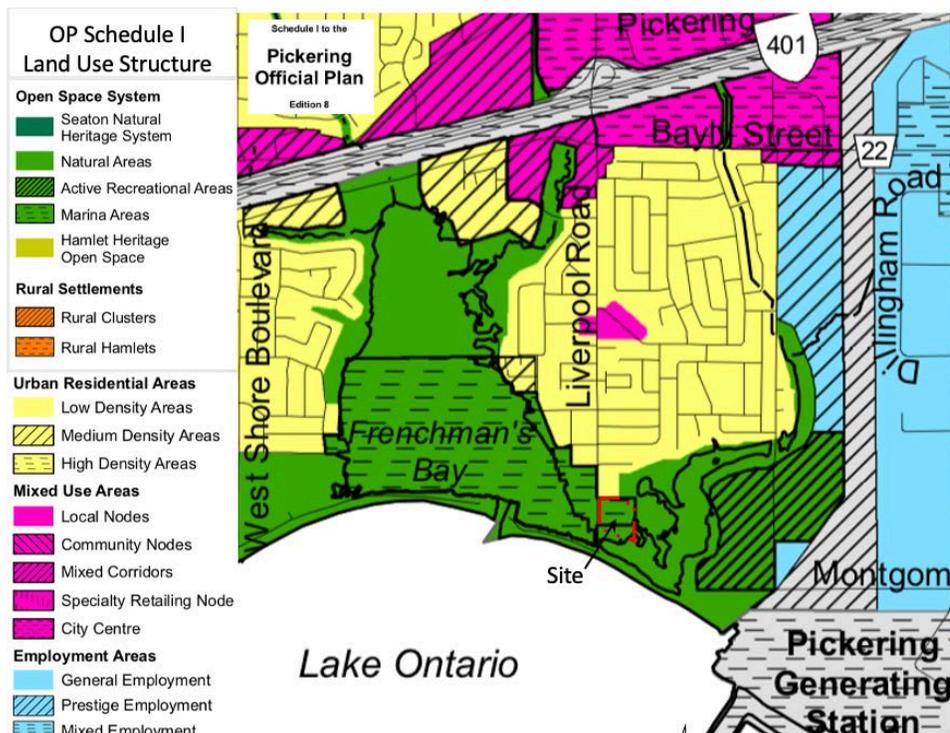
density and FSI remains unchanged at **340 units / net residential hectare (u/nrh)** while the Floor Space Index increased from 3.98 to **4.34 FSI**.

3.2 Required Approvals

City of Pickering Official Plan currently designates the property as **Open Space - Natural Areas and Open Space -- Marina Areas**.

An Official Plan Amendment is needed for the following:

- **Designation:** Change the OP designation to **Mixed Use – Community Node**;
- **Density:** Permit site-specific permissions for an increase in Net Residential Density for the Mixed Use Community Node **from 140 u/nrh to 340 u/nrh**
- **FSI:** Permit a site-specific permission for an increase in the maximum permitted FSI **from 2.5 to 4.34**.
- **Liverpool Road Waterfront Node Development Guidelines:** Change the Public Use/Parking and Boat Storage Area designation to Marina Mixed Use Areas and Liverpool Road Corridor;
- **Zoning:** Change the current zoning -- Waterfront Area, “(H) O3B-2” (City of Pickering Zoning By-law 2520) – by removing the “H” holding provision and rezoning the Site to Community Node “CN” Zone with site-specific permissions for increased height and density.



OP Schedule 1 – Land Use Structure

4.0 OVERVIEW OF THE POLICY & GUIDELINE FRAMEWORK

4.1 The Pickering Official Plan (OP)

The Pickering OP was adopted by Pickering City Council on March 3, 1997 and approved by the Council of the Regional Municipality of Durham on September 24, 1997. Since that time there have been a series of updates and consolidations. The most recent consolidated version of the OP is Edition 8, dated October 2018.

In the introduction to the OP it states:

“The official plan lays the “foundation” for building a good community. As a foundation, it provides a vision of the City, identifies how the vision can be reached...All development in the City must conform to the Council approved official plan.”

4.2 Official Plan Urban Design Related Policies

The OP contains design-related policies throughout the plan – including:

1. Part 1 Principles & Framework;
2. Part 2 Strategic Policies - including Chapter 3 – Land Use, Chapter 6 – Housing and Chapter 9 – Community Design;
3. Part 3 Neighbourhoods and Settlements -- specifically the Neighbourhood 3: Bay Ridges policies; and
4. Part 4, Detailed Design Considerations.

4.2.1 OP Part 1 – Principles and Framework

Pickering’s Urban System:

OP Section 2.7 states -- *City Council shall:*

- (a) *encourage a variety of uses in close proximity to one another through a **well-designed, compact urban form**;*
- (g) ***improve the physical design of neighbourhoods, streets and the public realm, making them safer, more attractive, more comfortable, more human in scale, and more respectful of cultural and natural heritage.** (emphasis added)*

4.2.2 OP Part 2 Strategic Policies:

OP Chapter 3 – Land Use: The land use strategy involves 11 primary land use categories.

Subcategories are established where more detailed land use classification is needed.

Subcategories are distinguished primarily on the basis of the level or intensity to which an area is designed or intended to be used (i.e., the “intensity of use” expected in an area).

OP 3.2 states: *City Council shall:*

- (c) promote the **City Centre** as the City’s main focus for business, employment, entertainment, shopping.... **high density residential accommodation**, and as an **Anchor Mobility Hub** for integrated transit service including GO transit, regional rapid transit and local bus service (OP 3.2 (c)).
- (d) promote a land use pattern in the urban areas in support of compact urban form, active transportation, placemaking, public transit and energy conservation;
- (e) while maintaining the **character of stable residential neighbourhoods**, increase the variety and intensity of land uses and activities in the urban area, particularly on lands designated **Mixed Use Areas, and Employment Areas**; (emphasis added)

It is important to note that the Site is **not** located within the City Centre, a Mixed Use Area or an Employment Area – but rather is currently categorized as **Open Space System – Natural Areas and Marina Areas**. (As stated above, the Applicant is applying to change the OP designation to Mixed Use – Community Node.) The City has studied carefully and provided areas in the City where high density mixed-use development should occur – and this part of South Pickering, for a number of reasons, is not suitable for this scale and intensity of development.

4.2.3 OP Designations & The Proposed Site:

In terms of land use the Site is designated as **Open Space System**, specifically the **Natural Areas and Marina Areas subcategories in the City of Pickering Official Plan** Schedule I.

The City of Pickering OP describes the Open Space System designation as follows:

The Open Space System is Pickering’s “greenspace”, important not only for its role in maintaining ecological health, including maintaining and, where possible, improving the ecological and hydrological integrity of the Natural Heritage System, but also in promoting physical, spiritual and mental health for the City’s residents..

Lands designated as part of the Open Space System are intended to be used primarily for conservation, restoration, environmental education, recreation, and ancillary purposes. (OP Chapter 3)

The OP “**Open Space System - Natural Areas**” designation includes permissible uses such as conservation, environmental protection, restoration, education, passive recreation, and similar uses, subject to the provisions of the Regional Official Plan ... as well as existing lawful residential dwellings; a new residential dwelling on a vacant lot; community gardens ...existing, expanded or new infrastructure ... Stormwater management facilities and related works ...

The OP “**Open Space System – Marina Areas**” – designation provides for marinas, yacht clubs, marina supportive uses such as restaurants, limited retail sales and limited residential uses in conjunction with marinas and yacht clubs, and aquaculture in addition to conservation, environmental protection and agricultural uses. (OP 3.5 Table 3)



OP Land Use Structure - closeup (Map based on OP Schedule 1)

(Image: DTAH/FUSL)

It is important to note that the OP designation of the lands just to the east of the Subject Site is a Natural Heritage System (OP Schedule III A) and a Shoreline and Wetland area (OP Schedule III C).

4.2.4 Proposed OP Re-designation

As stated above, the Applicant is proposing to change the OP designation to **Mixed Use – Community Node** with site-specific permissions to more than double the Net Residential Density for the Mixed Use Community Node from the permitted **140 u/nrh to 340 u/nrh** – as well as an increase in the maximum permitted Floor Space Index **from 2.5 to 4.4**.

The OP states that **Mixed Use Areas** are areas and corridors of development having:

the highest concentration of activity in the City and the broadest diversity of community services and facilities. ...

*To ensure the Mixed Use Areas are **appropriately sized relative to the people and area intended to be served, minimum and maximum residential densities, maximum floorspace limits for the retailing***

of goods and services, and maximum building floor space indices **are established for each of the subcategories.** (emphasis added)

Official Plan Policy 3.6, dealing with Mixed Use Areas, states - City Council:

- (f) *shall ensure Mixed Use Areas are designed and **developed consistent with the community design provisions of this Plan (Chapters 9 and 14), and any development guidelines that may be established in a Part 3 Neighbourhood Plan (Chapter 12);***

OP Table 6 sets out the permissible densities and FSI for Mixed Use Areas. For Community Nodes the net residential densities range from over 80 and up to 140 u/nrh, while the Maximum FSI is up to and including **2.5 FSI**. As noted above the Proposal calls for **a density of 340 u/nrh** and an **FSI of 4.34** – both well in excess of what the OP permits in the Mixed Use Areas – Community Nodes land use designation area.

4.2.5 OP CHAPTER 9 – Community Design

Chapter 9 OP urban design related Policies include:

- **Policy 9.1** -- dealing with adherence to principles of good, high quality community design, and a desirable image and sense of place for the City.
- **Policy 9.2 - Community Design Objectives** – encouraging, among other things, the creation of an overall physical form for Pickering that is related to the scale and pace of pedestrians; and **developments that are designed to fit their contexts by considering the mix of uses, and the massing, height, scale, architectural style and details of existing, adjacent buildings**; buildings that are of high architectural and landscape quality, and contribute to and enhance the overall quality of Pickering’s public realm;
- **OP 9.3- Implementing Community Design** requires that development at all scales be designed and built in accordance with OP Part 4 Detailed Design Considerations (Chapter 14).

4.2.6 OP Chapter 12 – Urban Neighbourhoods:

The City of Pickering is divided into a number of Neighbourhoods and the Site is located within the **Bay Ridges Neighbourhood** (City of Pickering OP Map 13). The Bay Ridges Neighbourhood contains several sub-areas and the Site is located within the southernmost sub-area known as the “**Liverpool Road Waterfront Node,**” which is described as an area that exhibits a unique mix of built and natural attributes. Building form and public space within the Waterfront Node are to be of high-quality design with a nautical theme as detailed in the Liverpool Road Waterfront Node Development Guidelines. The OP Policies for this Node (**OP 12.5**) restrict permitted uses primarily to non-residential uses that promote the Waterfront Node as a boating, tourism and recreation area .

Specifically, OP Section 12.5 states: City Council shall:

- (a) recognize that the area ... **exhibits a unique mix of built and natural attributes** that establishes the area as **the 'Liverpool Road Waterfront Node**;
- (b) promote the Waterfront Node as a **boating, tourism and recreational area**;
- (c) **require that future development within the Waterfront Node capitalize upon these unique attributes**, which include Frenchman's Bay, Lake Ontario, the Hydro Marsh, City parks, Millennium Square, marine activities, and the historic Village of Fairport
- (d) for lands within the Waterfront Node, require building forms and public space to be of high-quality design with a **Great Lakes Nautical Village theme** as detailed in the **Council-adopted Liverpool Road Waterfront Node Development Guidelines**, to create a vibrant pedestrian environment; (emphasis added)

4.2.7 Official Plan CHAPTER 14 – Detailed Design Considerations

The introduction to OP Chapter 14 states:

This chapter complements and expands upon the goals and policies of Chapter 9 - Community Design. It establishes the City's position on a variety of municipal concerns revolving around attractive and effective community design.

OP Chapter 14 urban design related policies include:

- **Policy 14.2 – Community Image:** Requires that development at all scales creates, reinforces, and enhances distinctive neighbourhoods, nodes and corridors, and enhances the specific character of existing developments and neighbourhoods.
- **Policy 14.5 – Development and Subdivision Design:** Encourages designs of streets and blocks that create a public realm supporting comfortable and safe pedestrian activity and movement both within and beyond the development; and introduce public roads into large blocks of developable land.
- **14.6 Views & Vistas:** Endeavours to maintain and enhance views of natural features, including bodies of water and across open spaces.
- **Policy 14.9 – Human Scale:** Encourages development that establishes and reinforces a human scale.
- **Policy 14.10 – Design of Buildings:** Encourages buildings proposed within an existing neighbourhood or established area to be designed to reinforce and complement existing built patterns such as form, massing, height, proportion, position relative to street, and building area to site area ratios.

4.3 Liverpool Road Waterfront Node Development Guidelines

The *Liverpool Road Waterfront Node Development Guidelines* were adopted by Council on January 21, 2002 to provide guidance on the waterfront area of the Bay Ridges neighbourhood. As noted above, Official Plan Policy 12.5 contains policies relating to the Guidelines.

The Liverpool Road Waterfront Node is located at the south end of the Bay Ridges Neighbourhood on both sides of Liverpool Road, including the Historic Village of Fairport. See OP Map 13 below.

The Guidelines note in the introduction that the Waterfront Node's history is closely linked with its waterfront location and that over the years numerous marinas, boat storage and marine service businesses have operated in the area

In terms of a guiding vision, the Guidelines state: (C1.2 Guiding Vision)

The guiding vision for the entire Node is that of a "Great Lakes Nautical Village" with a mix of uses and an ambiance that is inviting. The nature of the Village will be geared toward pedestrian comfort, including street amenities. The character of the Great Lakes Nautical Village will be established by its series of small blocks with frequent and regular views out to the water. The streets will form view corridors and act as public open space...

Due to the proximity of the Bay and the relatively intense marina uses established in this area, the entire neighbourhood has been influenced by a "nautical heritage". The existing marinas have provided a focal point and key character-setting element for many years; the continuation of marina uses in these areas will persist as a key character-setting element of the Village. Accordingly, lands adjacent to the Bay, Krosno Creek and Hydro Marsh will feature a variety of marine-related activities, and in some instances public amenities.

In addition to the marine-related activities, the Village will offer a variety of other uses that provide opportunities for people to live, work, shop and play within the area. These additional uses include residential development subject to certain restrictions, retail operations like craft stores, boutiques and bookshops, as well as other uses such as restaurants, art studios, and offices. (emphasis added)

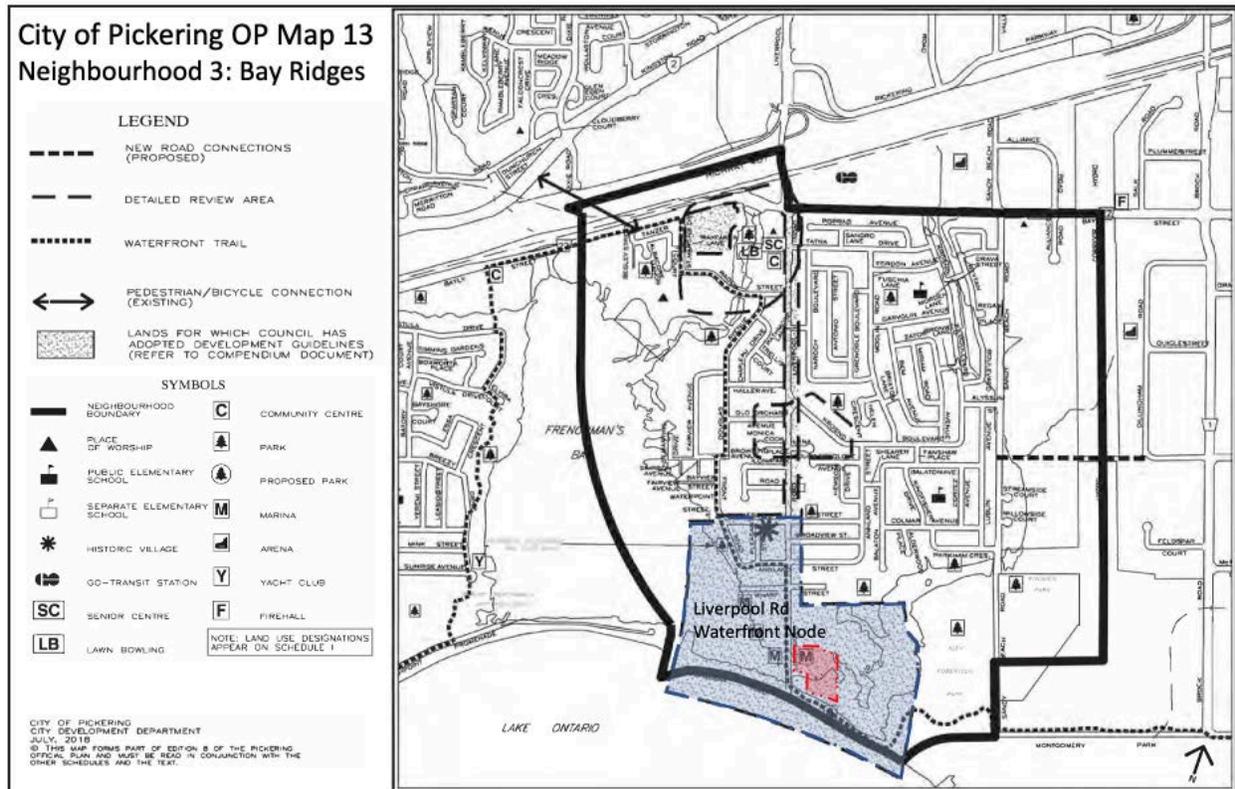
Within the Liverpool Road Waterfront Node, the Site is included in a number of sub-areas:

- Marina Mixed Use Area (centre of Site)
- Liverpool Road Corridor (top left corner)
- Public Use Parking & Boat Storage (top and middle)
- Natural Area & Open Space Area (Hydro Marsh) (right side of Site)

The Lands in the **"Marina Mixed Use Area."** designation are intended to develop in a manner that creates a high-quality built form that is **sensitive to views of the water**, provides a critical link for visual and physical public accessibility to the waterfront where appropriate, **has an attractive pedestrian scale and builds upon existing neighbourhood patterns.** (emphasis added)

The Guidelines set out detailed development standards that speak to such issues as **protection**

of views, maintenance of existing road networks, opportunities for additional trail connections, continuance of street and block patterns, provision of pedestrian friendly built form, creative parking strategies, compliances with relevant environmental management policies and stormwater best-practices. (emphasis added)



City of Pickering Official Plan Map 13 – Neighbourhood 3 – Bay Ridges (black outline) with the Liverpool Waterfront Node (blue) and the Subject Site (red)

4.4 Zoning

The Site is currently zoned as *Waterfront Area, “(H) O3B-2”* in the City of Pickering Zoning By-law 2520.

An Zoning By-law Amendment is required to:

- Remove the “H” holding provision on the Site.
- Rezone the Site to **Community Node “CN” Zone** with site permissions for **increased height and density**.

5.0 URBAN DESIGN ANALYSIS & OPINION – Compatibility & Contextual Fit

This urban design analysis examines a number of urban design parameters—including height, density massing and scale in order to determine whether the Revised Proposal fits within the context and is compatible with the neighbourhood character. The analysis begins with an examination of the context and the neighbourhood character and then reviews the urban design parameters one-by-one against the relevant sections of the Official Plan, the Zoning By-law and the Waterfront Node Guidelines. This section of the Report is divided into the following sub-headings:

- 5.1 Introduction: Context & Neighbourhood Character
- 5.2 Overview: Height, Density, Massing & Scale
- 5.3 Height
- 5.4 Density, Massing & Scale

5.1. Introduction: Context & Neighbourhood Character

5.1.1 Context & Policy/Guidelines:

Both the Official Plan and the Guidelines speak to the importance of new development, of all scales, fitting into, being compatible with and enhancing the character of the surrounding context. The first component of this urban design analysis therefore is an examination of the context—to determine and define both the geographic extent and the character of surrounding neighbourhood context. The character of a place consists of all the qualities they have that make them distinct from other places.

In terms of general Official Plan policies that speak to new development and contextual fit, the following policies are relevant:

OP Policy 9.2 states – To achieve the community design goal, City Council shall:

- e) *encourage developments that are designed to **fit their contexts** by considering the mix of uses, and the **massing, height, scale, architectural style and details of existing, adjacent buildings**; (emphasis added)*

OP Policy 14.2 states that – City Council shall:

*require that **development at all scales creates, reinforces, and enhances distinctive neighbourhoods, nodes and corridors, and enhances the specific character of existing developments and neighbourhoods**; (emphasis added)*

In terms of Official Plan policies specific to the Bay Ridges neighbourhood the OP speaks to the special character of sub-areas within the neighbourhood – including the Waterfront Node:

OP 12.5 States: *City Council shall:*

- a) *recognize that the area generally situated from Commerce Street stretching south to the Lake Ontario shoreline, on either side of Liverpool Road, exhibits a unique mix of built and natural attributes that establishes the area as the ‘Liverpool Road Waterfront Node’; ...*
- c) *require that future development within the Waterfront Node capitalize upon these unique attributes, which include Frenchman’s Bay, Lake Ontario, the Hydro Marsh, City parks, Millennium Square, marine activities, and the historic Village of Fairport; (emphasis added)*

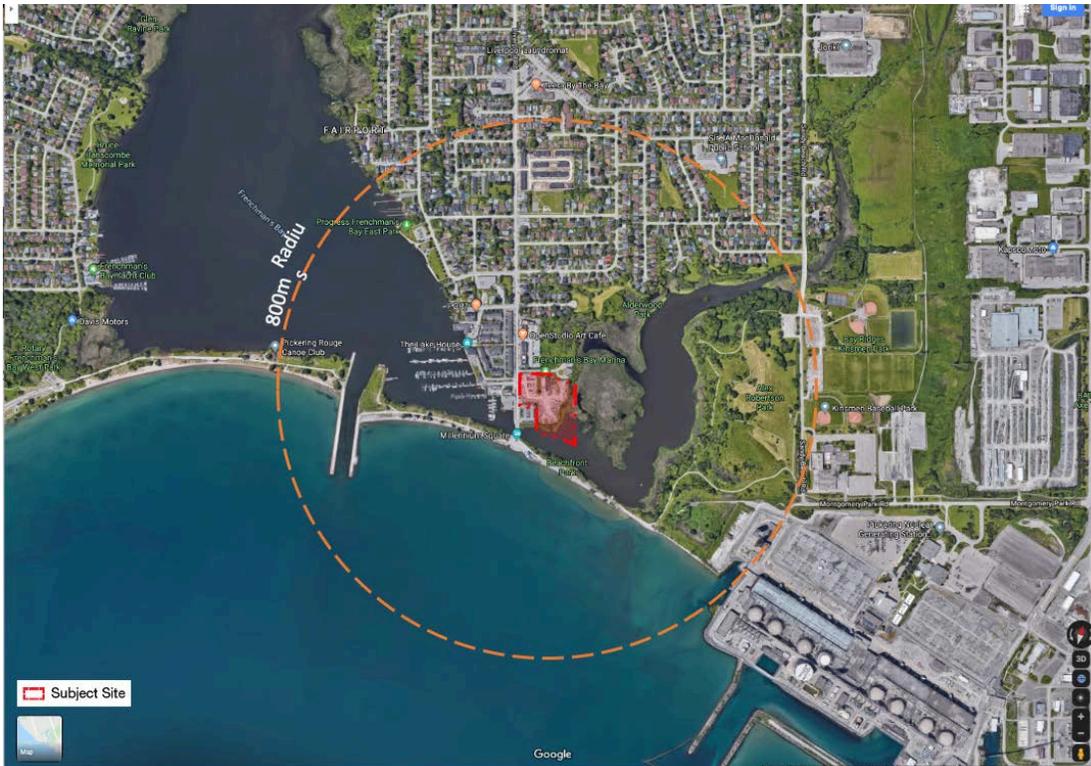
5.1.2 Study Area:

The Subject Site is located within the Bay Ridges Neighbourhood, which stretches from Highway 401 down to Lake Ontario and from Frenchman’s Bay over to the Hydro Corridor, and consists of a mix of old cottage-type houses as well as 1950’s and 1960’s houses and later detached, semi-detached, townhouse and apartment buildings (see OP Map 13 above). Bay Ridges is subdivided into a number of smaller sub-areas and communities including the three Detailed Review Areas within its boundary: (i) the Waterfront Node (lands and water surrounding the existing marinas); (ii) the lands around the Plaza at Liverpool Road, Old Orchard Road and Krosno Boulevard; and (iii) the redevelopment lands around the old Bay Ridges Plaza, west of Liverpool Road. Pickering City Council has also adopted development guidelines for both the Liverpool Road Waterfront Node area and for the Bay Ridges Plaza Redevelopment area. Within the Bay Ridges neighbourhood there are two community shopping areas – one on Krosno Boulevard near Liverpool Road and another on Bayly Street at Sandy Beach Road.

The Site, as stated above, is located in the southern part of the Bay Ridges Neighbourhood in the **Liverpool Road Waterfront Node**, which is bounded roughly by Commerce Street to the north, Frenchman’s Bay on the west, Lake Ontario on the south and Liverpool Road (above Wharf Street) Alex Robertson Park on the east.

5.1.3 The Surrounding Neighbourhood Context:

in terms of what is typically considered to be the “neighbourhood context” of a proposed development – a good rule of thumb is look at a radius of approximately 800 m – or an 8- to 10-minute walking distance – surrounding the site. This is a distance that many people tend to associate with, and relate to as, their neighbourhood. It is a scale that typically includes the distance covered when going for a walk, accessing a small shopping/convenience centre, or the catchment area for a neighbourhood elementary school. It is also used by many transportation agencies, including Metrolinx, as a practical walking distance to a higher order transit station. In my opinion, the most important context for this review is the area roughly circumscribed by the 800 m walking radius.



Surrounding Neighbourhood Context Aerial: 8-10 minute, 800 m Walking Radius (Source: Google Maps)



Surrounding Neighbourhood Context – Current Land Use Diagram:
8-10 minute, 800 m Walking Radius

(Image:DTAH/FUSL)

5.1.4 Neighbourhood Character

The character of the surrounding neighbourhood context (approximately an 800 m or 8- to 10-minute walking radius from the Subject Site) can be determined by the qualities that makes it distinct from other neighbourhoods and areas in Pickering, which includes the unique combination of waterfront location, history, land uses (including nautical uses), predominant building types (and the massing, size, architectural style of those building types) and the nature of the landscapes and streetscapes surrounding the buildings.

5.1.5 Waterfront Location & History:

From the earliest settlements, development in the area has had a close relationship to the Lake and to Frenchman's Bay, first for commercial shipping and later for pleasure boating. In the early 1800's land in the area was cleared for agriculture and soon after, grain elevators and warehouses were built near the water for storage and shipment. In 1843 an opening was cut into Frenchman's Bay from Lake Ontario, which allowed cargo ships to access the relatively calm waters of the Bay and enhanced the importance of the area as a transportation hub. In 1853 the Pickering Harbour Company (PHC -- the Applicant of this Proposal) was created and was deeded ownership of the land under Frenchman's Bay.

In the early 1900's as the number of rail lines in Ontario continued to expand and the importance of commercial water transportation declined, Frenchman's Bay became known as a recreational boating and beach area. It also became a popular summer cottage area for the growing population in southern Ontario in and around Toronto.

In the 1920's some of the area residents (including summer residents) began holding services in a Church near Commerce Street on the east side of the Bay – known as Fairport Church. Summer services were held there until 1947. The church was torn down after the congregation amalgamated with the Dunbarton United Church congregation in 1975. The Fairport cemetery remains at the corner of Liverpool Road just north of Commerce Street.

In the mid-1920's, Glen-Avis Park and Pavilion located on the east shore of Frenchman's Bay near Wharf Street, became a popular park for picnics and camping. As the popularity of recreational boating increased, the Frenchman's Bay Yacht Club was founded (1937) with a clubhouse on the east shore of the Bay. The Club eventually moved to the west side of the Bay and still exists today.

Over time, the population of the area continued to grow, slowly at first, and then much more rapidly after World War II. Some of the early cottages that were established on the streets east of the Bay remain today – but the majority of the houses in this area date from the post-war era.

In 1972, the Pickering Harbour Company established the East Shore Marina – with offices housed in the Glen Avis Pavilion – offering boat moorings for rent to recreational boaters. The

Marina later changed its name to the Frenchman’s Bay Marina when the offices moved to the other side of Liverpool Road (the Subject Site) The character of the neighbourhood was, and continues to be, very much influenced by the boating community with many businesses catering to their needs – such as boat repair and storage.

In 2000 a major waterfront revitalization project in the area was undertaken – that included the construction of Millennium Square at the foot of Liverpool Road and a boardwalk connecting a series of parks along the waterfront. Millennium Square has become a focal point for the area and draws locals and tourist down to the waterfront. Around the same time Marshall Homes and Joe Winters began the design and construction of a major new waterfront neighbourhood known as the Nautical Village – located below Wharf Street and extending over to Frenchman’s Bay on the west and lining both sides of Liverpool Road. The design of this neighbourhood took its cues from the nautical themes in the surrounding neighbourhood and consists of 3-storey, clapboard-style townhouses – residential on the inner blocks and mixed-use - with some ground-floor commercial - along both sides of Liverpool Road. The scale of the village is a good fit within the surrounding context.

Boating and nautical uses have remained an important part of this community to this day with several Yacht Clubs, boat storage and repair facilities and nautical businesses located in the vicinity. The strong ties to the waterfront and to boating have helped to shape the community character.

With a good sense of the context and neighbourhood character —and its long-standing and intimate connection to the water and to nautical activities — the next question is whether the Proposed Development is compatible with that neighbourhood character. Does it fit in and enhance the surrounding context or is it out of character and will it result in negative impacts on neighbouring properties, parks and public spaces? In my opinion, the Revised Proposal, despite its lower height and reduction in GFA, is still of a form and massing that does not fit into the surrounding neighbourhood context and will result in negative impacts. In support of my conclusion I have examined a number of the Proposal’s urban design parameters in turn – beginning with height, density, massing and scale and concluding with a review of the impacts.

5.2 Overview: Height Density, Massing & Scale

5.2.1 Height, Density, Massing & Scale

As the height, massing and scale of the Revised Proposal are far in excess of what is envisioned by the City of Pickering Official Plan, Zoning By-law or Waterfront Node Guideline—it is important to review these documents to determine what is currently deemed to be appropriate for the Site.

As stated above the Proposed Building built-form parameters are as follows:

- Height:** 15 storeys (46.5 m based on 4.5 m ground floor & 3 m residential floor-to-floor heights)
- GFA:** 48,132 sm
- SITE:** 1.11 ha = Developable Area– taking into account the 30 m shoreline setback and the 16 m setback easement along Liverpool Road)
- FSI:** 4.34 FSI
- Density:** 340 units / nrh

5.2.2 Height, Density, Massing, Scale & the Pickering Official Plan:

While the Official Plan does not contain specific height requirements, it does speak to the issue of height, massing and scale in terms of how new buildings relate to the surrounding context.

As discussed above, the existing OP Designations for the Site — Open Space System: Natural Areas and Marina Areas — only anticipate very limited opportunities for residential development and therefore the Applicant is seeking an Official Plan Amendment to have the Site re-designated as **Mixed Use Areas: Community Node** (OP 3.6) with site-specific permissions for an increase in Net Residential Density for the Mixed Use Community Node from **140 u/nrh to 340 u/nrh** – as well as an increase in the maximum permitted Floor Space Index from **2.5 FSI to 4.34 FSI**.

Section 3.6 of the OP makes it clear that even within Mixed Use Areas there need to be limits placed on the scale of development to ensure that it fits within its context. Specifically, OP 3.6 states that City Council:

- (c) *in establishing performance standards, restrictions and provisions for Mixed Use Areas, shall have particular regard to the following: ...*
 - (ii) *encouraging intensification over time, **up to the maximum net residential densities and maximum floorspace indices;***
- (d) *despite Section 3.6(c)(ii) and Table 6, may limit net residential densities, floorspace indices,...*
 - (i) *to address concerns related to such matters as **design, compatibility and scale of development;** ... (emphasis added)*

It should be emphasized again that not only is the Applicant seeking to re-designate the Site to permit the type of development they are proposing – but also to increase the density and Floor Space Index to permit a structure that is considerably larger than what Council has anticipated and approved as appropriate for this land use designation.

Official Plan policies 9.1 and 9.2 -- Community Design– together speak to the issue of new development fitting in to the context in terms of a number of design elements – including height.

OP 9.1 sets out a broad community design goal that includes adherence to principles of good,

high quality community design that will offer a desirable image and sense of place for the City.

OP 9.2 builds on this general statement and states:

To achieve the community design goal, City Council shall:

- e) *encourage developments that are designed to **fit their contexts** by considering the mix of uses, and the **massing, height, scale, architectural style and details of existing, adjacent buildings**; (emphasis added)*

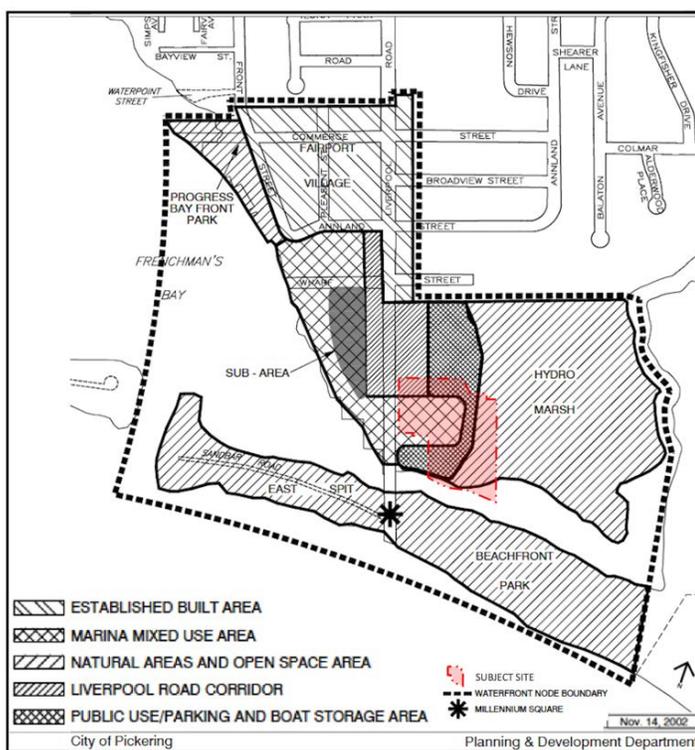
Finally, in OP 14.10 – Design of Buildings it states that City Council shall:

- c) *where new development is proposed within an **existing neighbourhood** or established area, encourage building designs that reinforce and complement existing built patterns such as **form, massing, height, proportion, position relative to street, and building area to site area ratios**. (emphasis added)*

5.2.3 Height, Density, Massing, Scale & the Waterfront Node Development Guidelines

The Liverpool Road Waterfront Node Development Guidelines address height, density and massing in a more direct way. As stated above, the Site is included in a number of sub-areas within the Liverpool Waterfront Node:

- Natural Area & Open Space Area (Hydro Marsh) (right side of Site)
- Marina Mixed Use Area (centre / centre-left of Site)
- Liverpool Road Corridor (top left corner along Liverpool Road)
- Public Use Parking & Boat Storage (top, middle, bottom-left)



Tertiary Plan - Liverpool Road Waterfront Node

In Section C1.3 Land Use Objectives, the Guidelines set out the type and general scale and look of development that is anticipated within each these various sub-areas:

- **Guideline C1.3.1 Natural Areas & Open Space Area (Hydro Marsh):**
*The Hydro Marsh is an environmentally sensitive wetland in which **development is not permitted**. Development adjacent to the wetland must be designed in a manner, which mitigates detrimental impacts on the wetland.*(emphasis added)
- **Guideline C1.3.3 Marina Mixed Use Area:** *These lands will develop in a manner that creates a high-quality built form that is sensitive to views of the water, provides a critical link for visual and physical public accessibility to the waterfront where appropriate, has an attractive pedestrian scale **and builds upon existing neighbourhood patterns**.*
*... This area is the primary marina area.... **Residential uses may be permitted subject to conditions**. These conditions include the **requirement that a functional marina operation is maintained on the remaining lands and that a significant public benefit is provided**. The provision of publicly accessible space at the water's edge would qualify as a significant public benefit ...* (emphasis added)
- **Guideline C1.3.4 Liverpool Road Corridor:** *Development along Liverpool Road will achieve a high level of design and architectural quality, featuring a vibrant pedestrian environment... **Residential uses within the Liverpool Road Corridor will be permitted provided that a significant public benefit is provided**. To qualify as a significant benefit for residential development, the ground floor of the residential units fronting on Liverpool Road must be designed and constructed in such a way that the ground floor can be easily converted in the future to accommodate a range of uses.*(emphasis added)
- **Guideline C1.3.5 Public Use Parking & Boat Storage:** *These lands represent an area where the City is investigating the opportunity for additional public parking facilities, alone or in partnership with other landowners.*

The Applicant is seeking to change the Liverpool Road Waterfront Node Development Guidelines designation for the portion of the site designated Public Use/Parking and Boat Storage Area to Marina Mixed Use Areas and Liverpool Road Corridor.

In terms of built form, **Guideline C1.4.4** - states:

*New buildings should be designed to be welcoming and friendly to pedestrians. ... Methodologies that include various design elements **for reducing the bulk of a building's appearance should be developed as part of the architectural design**. The materials, rooflines, design elements and details of new buildings should harmonize with the Great Lakes Nautical Village theme. .*(emphasis added)

In addition, **Appendix A** of the Guidelines provides detailed Architectural, Landscape and Streetscape Guidelines and the section dealing with **Built Form** state:

*Generally, **as-of-right building height** for new development along public streets south of Annland should be **3-storeys or 11 m**. However, new **building should not exceed 3 storeys when located***

adjacent to existing residential buildings. ...

Decorative features – such as towers, turrets, etc. – encouraged to rise above the height limit, provided no habitable space exists above the 3rd floor;

With respect to **Buildings** the Guidelines state:

Nautical Village elements for buildings include:

- ***Maintaining a scale of smaller historic buildings, so that larger buildings need to be broken down visually into smaller components;***
- ***Front entrances encouraged to have large and generous porches with upper floor balconies or decks above porches; ground floor windows encouraged to be part of extended front porch, or have awnings or canopies, which can also contain signage;...***
- ***Roofs not to be flat, but to be steeply pitched.*** (emphasis added)

With this general overview of City Policies and Guidelines with respect to height, density, massing and scale this report will now review each of these design parameters in turn to determine if the Revised Proposal is providing a good contextual fit.

5.3 Height

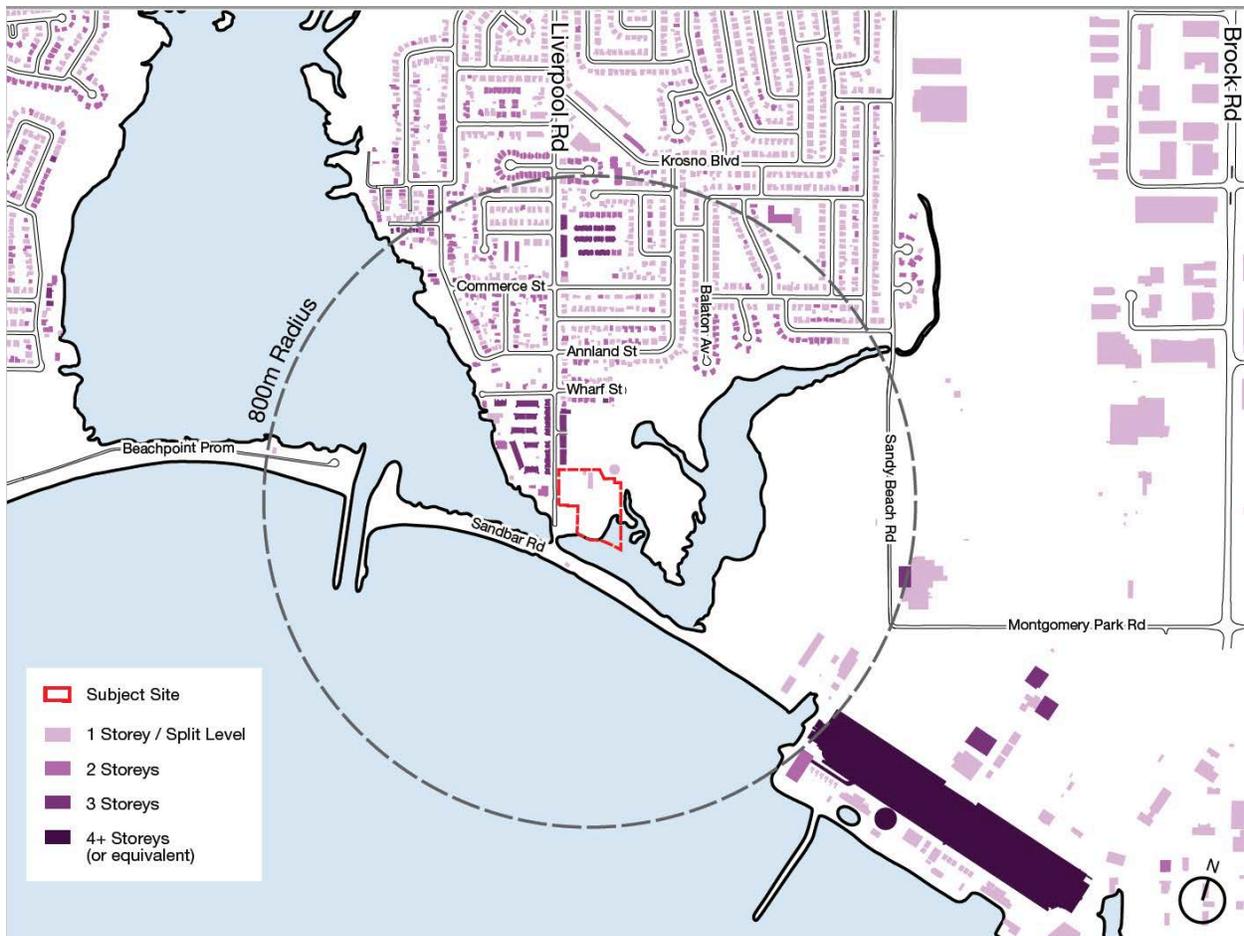
5.3.1 Height Context:

In terms of the prevailing height of buildings in the surrounding neighbourhood, a review of the Context Height Map (below) reveals that the approximate height of buildings ranges from 1- to 4-storeys:

- **1-Storey** (approx. 6.0 m) bungalows / cottages
- **2-storey** (approx. 6.7 m to 10 m) detached houses & attached townhouses
- **3-4 Storeys** (approx. 9.3 to 12.5 m) recent detached houses/attached townhouses

Among the existing buildings in the surrounding neighbourhood context area the predominant building form is detached one- and two-storey houses ranging in height from bungalows to 2-storey houses – with some more recent houses of 3 storeys (up to 12+ m).

In 2018 the City of Pickering undertook **the *Infill and Replacement Housing in Established Neighbourhoods Study*** (the Infill Study) to provide direction for the preparation of appropriate official plan policies, zoning regulations and to develop draft design guidelines to facilitate sensitive transition between existing houses and new construction in the City's established neighbourhoods. Also, in 2018, the City adopted **By-law 7610/18** which established a 9.0 metre height maximum in R3 and R4 zones where no height limit existed before, for the area covered by Zoning By-law 2511. Some recently built houses in the Bay Ridges Neighbourhood have been approved with minor variances, or at the OMB, with heights that are in the range of approximately 10 to 12 m. The Infill Study is ongoing and is considering what is an appropriate maximum height for infill and replacement housing in the City's established neighbourhoods.



Context Height Map

(Image:DTAH/FUSL)

5.3.2 Height & Zoning By-law 2520

Site Zoning:

The majority of the Site is currently zoned as *Waterfront Area, (H) O3B*. The portion of the site closer to the Lake and the Salt Marsh is zoned *Open Space – OS-HL-5* in the City of Pickering Zoning By-law 2520.

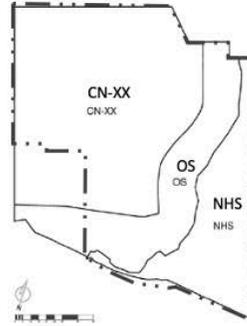
A Zoning By-law Amendment – ZBA -- is required to:

- Remove the “H” holding provision on the Site
- Rezone the Site to Community Node “CN” Zone with site permissions for increased height and density.



Waterfront Area – (H) O3B-2
 Open Space – OS-HL-5
 Municipal Zone - M4

Current Zoning By-law



Community Node – CN-XX (Site-Specific Permissions)
 Open Space – OS
 Natural Heritage System - NHS

Proposed Zoning By-law

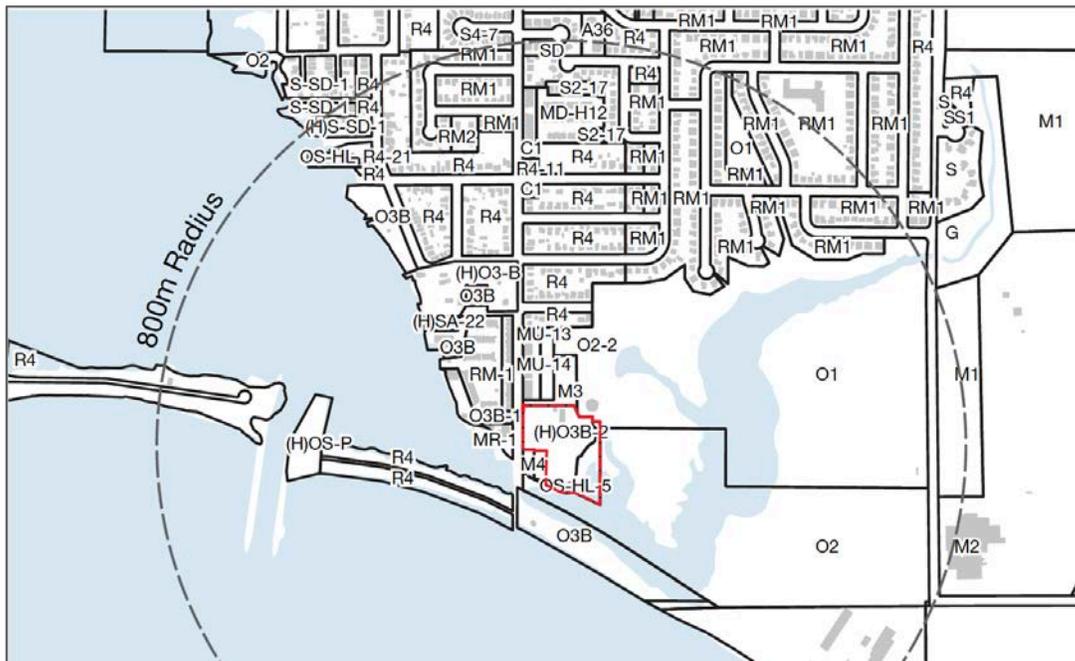
Context Zoning & Height:

Immediate North: The area immediately to the north of the Site (Nautical Village east side of Liverpool Road) is zoned MU-13 & MU-14 and M3. The permitted heights in these zones are as follows:

MU-13: 7.5 m to 11 m

MU-14: 4.5 m to 11 m

M3: Municipal Zone: only permitted use is water filtration plants and sewage plants operated by or for the Township - no height restrictions.



Zoning

(Image: DTAH/FUSL)

North: The area to the north and northeast of the Nautical Village on the east side of Liverpool Road is zoned **R-4 and RM-1**. The permitted heights in these zones are as follows:

R-4: 9 m max Residential Fourth Density Zone -- Zoning By-law 7610/18 - one family detached dwelling

RM-1: 10.5 m General Provisions S. 5.10 no building or structure shall exceed 35 ft (10.5 m) in height in any residential or open space zone

West: The area immediately to the west of the Site (Nautical Village west side of Liverpool Road) is zoned **RM-1, O3B-1 and MR-1**. The permitted heights in these zones are as follows:

RM-1 7.5 m to 11.0 m -- Residential 1 Zone (Multiple Dwellings – Horizontal)

O3B-1 11 m

MR-1 12 m

East: The area immediately to the east of the Site is zoned **Open Space - O1 and O2**.

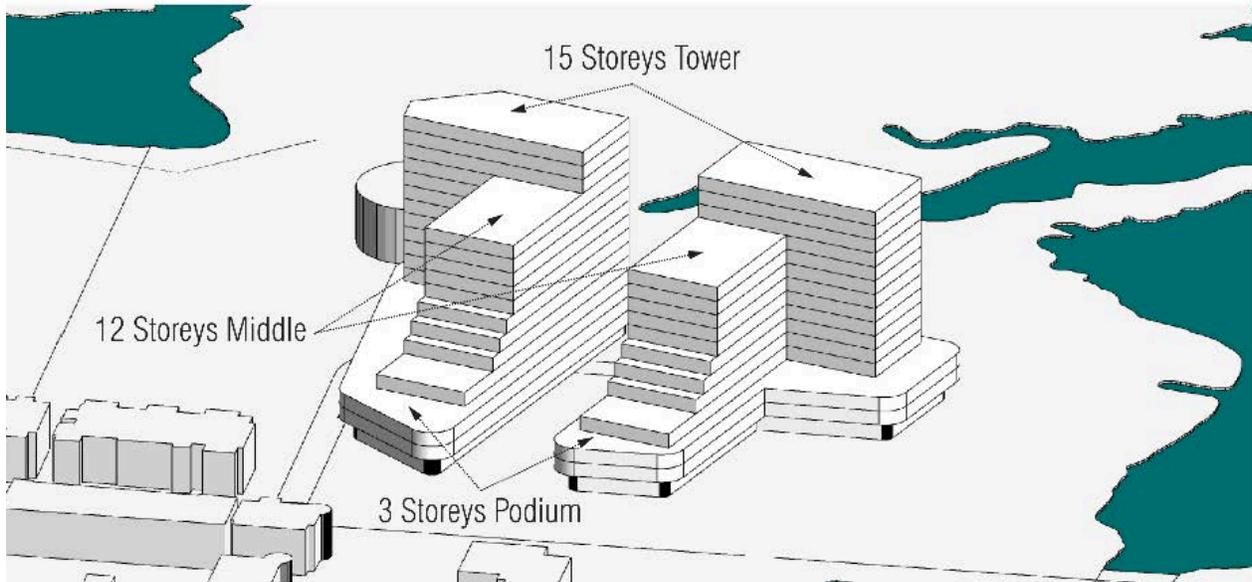
O1 and O2. General Provisions S. 5.10: no building or structure shall exceed thirty-five feet (**10.5 metres**) in height in any residential or open space zone

The Applicant has requested as part of this Revised ZBA Application that the Subject Lands be rezoned to an appropriate residential zone to permit the proposed mixed-use condominium developments with two 15-storey towers.

5.3.3 Proposed Height:

Compared to the 1- to 3+ storey heights of the prevailing buildings in the area — the Proposal's large base-buildings and two, 15-storey towers stand out in stark contrast. The proposed base buildings start at 3 storeys (approximately 10.5 m) and steps up to 4 storeys. The two -L-shaped towers step up from 5 to 12 storeys, with the slab-form east portions of the towers rising to the full height of 15 storeys (approximately 46.5 m). (Approximate heights are based on a 4.5 mixed-use first floor and 3 m residential floor-to-floor heights for residential floors.)

There is nothing similar in building form or height in the surrounding neighbourhood context. There are a few slab-form and newer point-tower apartment buildings in the north part of the Bay Ridges Neighbourhood closer to the 401 and the GO Station – but nothing close to this form or height in the 800 m radius neighbourhood context.



Proposed Height– March 2020

(Image: The Biglieri Group Ltd - Sun & Shadow Study Addendum, Revised March 2020)

5.3.4 OPINION re Height

Based on this review of the City of Pickering OP, Waterfront Node Guidelines, Zoning, and the prevailing heights of buildings in the surrounding neighbourhood – the Revised Proposal is, in my opinion, too tall and out of scale and does not fit within, reinforce or enhance the character of the surrounding neighbourhood context.

There are no buildings of this height, or even close to this height, within the surrounding 800 m radius context – and even for a considerable distance beyond. The majority of the buildings within the neighbourhood context are 3-storeys or less (the tallest being in the range of 9 to 12 m) and the majority are house or townhouse form with sloped roofs. The Proposal is approximately 3.5 to 4 times the height of the taller buildings in the area.

As noted above, while tall buildings do exist within the Bay Ridges Neighbourhood, they are located closer to the 401 and the GO Station in areas designated as Mixed Use- Mixed Corridors in the OP, which were identified by the City as appropriate for intensification and the highest level of density and height after careful review and study.

Specifically, the proposed height does not conform to OP Policy 14.10 which states that where new development is proposed in an existing neighbourhood Council shall encourage building designs that reinforce and complement existing built patterns—including height. In addition, the Revised Proposal does not come close to following the Waterfront Node Guideline height recommendations which speak to maintaining the scale of the area’s smaller historic buildings and limiting the height of development along public streets to 3-storeys or 11 m. While the Guidelines are not City policy – they do inform policy and efforts should be made to meet their

intent, which is to ensure that new development fit compatibly within the waterfront node context. In my opinion, the height of the Proposal ignores both the OP policies and guideline recommendations with respect to height and as a result does not fit within, nor complement the existing neighbourhood context.

5.4 Density, Massing, Scale

5.4.1 Proposed Density:

As stated above, the Applicant is seeking an OPA in order to re-designate the Site from Open Space: Natural Areas and Marina Areas to Mixed Use – Community Node and is seeking a site-specific permission for an increase in Net Residential Density for the Mixed Use Community Node **from 140 u/nrh to 340 u/nrh**. In terms of Floor Space Index, they are seeking a site-specific permission for an increase in **from 2.5 FSI to 4.34 FSI**. The Mixed Use Community Node does permit residential development – but at a more modest rate than what is being proposed.

5.4.2 Density, Massing & Scale: Surrounding Neighbourhood Context:

Within the surrounding neighbourhood context, the predominant building massing shape can be described as attached townhouse form to the west in the Nautical Village, and traditional house-form and townhouse-form in the area to the north. The general building shape can be seen clearly in the Figure Ground Massing Diagram below with the house-form buildings showing up as individual, square/rectangular black dots and the townhouse buildings as longer black bars.

Within the neighbourhood context there are also some older storage sheds and mixed-use and commercial buildings and some recent flat-roof houses and townhouses. There are also a couple of larger footprint buildings which are the retail building of the Market at Krosno Boulevard and Liverpool Road, a garden apartment building.

There are no buildings massed as mid-rise or tower structures. Outside of the Neighbourhood to the east are the larger buildings of the industrial park and to the southeast the Pickering Nuclear Generating Station.

Within the neighbourhood context, the Revised Proposal building footprints appear to be overly large and not in keeping with the predominant building forms in the area.



Figure Ground Diagram (with Revised Proposed Building Footprints)

(Image: DTAH/FUSL)

5.4.3 Density - Surrounding Neighbourhood Context:

The Proposal calls for a density of 340 u/nrh. It is important to emphasize that the Proposed Development exceeds what is considered high density for the OP Mixed Use Community Node where permitted density is defined as “over 80 and up to and including 140 u/nrh (OP table 6)

As reviewed above, **OP Policy 9.2 (e)** - Community Design Objectives – states that Council is to encourage developments that are designed to fit their contexts by considering – among other things -- the massing, height and scale, of existing, adjacent buildings.

From the density map below, it can be seen that the approximate densities in the surrounding neighbourhood context range from 11 to 20 u/nrh for blocks with detached houses, to 21 to 30u/nrh for the larger townhouse developments (Nautical Village and Madison-Liverpool) to 44 u/nrh (4 Townhouses toward the west end of Wharf Street).



Approximate Residential Density Map (units/net residential hectare (u/nrh))

(Image: DTAH/FUSL)

The Proposal calls for a density of 340 u/nrh.

5.4.4 OPINION re Density, Massing & Scale:

The Proposal is massed as a large, stand-alone, mixed-use development consisting of two, stepped base-buildings, each topped by a tall L-shaped tower. There are no buildings of this massing, scale or density – or even close to this massing, scale or density, in the surrounding neighbourhood context. The predominant building forms in the area are detached houses and rows of townhouses – the majority with sloped roofs the footprint of the Proposal stands out as very large in contrast to the footprint of the surrounding houses and townhouses.

The density of the Proposal is 340 u/nrh – which is far higher – and in no way relates to the densities in the surrounding neighbourhood context, which range from a low of approximately 11-20 u/nrh to a high of approximately 41-50 u/nrh. Not only is the proposed density uncharacteristically high for this area of the City, but it would also be considered high even in the areas of the City where high density buildings are permitted, as the OP defines high density as “over 80 and up to and including 140 u/nrh.”

As discussed above, the Applicant is seeking to re-designate the Site to Mixed Use Areas:

Community Node and at the same time to increase net residential density for this designation to 340 u/nrh. The permitted density in this land use designation (140 u/nrh) would be approximately 3 times the highest densities found in the area, while the proposed density of 340 u/nrh is approximately 7.5 times higher than the highest densities currently found in the area.

The Proposal, if permitted, will result in a building form, scale and density that will not be compatible with, nor relate well to, the built form context but rather will stick out in a way that is not sensitive or compatible to this low- to mid-density context. The Applicant has, in my opinion, provided no compelling or convincing argument as to why their Proposal should be so much denser and larger in scale than the buildings in the surrounding context – particularly when the OP speaks to the importance of contextual fit.

In addition, the Proposal does not conform with a number of other OP Policies:

- With respect to **OP Policy 9.2 - Community Design Objectives** the Revised Proposal is not achieving the community design goal of encouraging a building that fits the context in terms of its massing, height, scale, architectural style and details of existing, adjacent buildings;
- With respect to **OP 14.10 – Design of Buildings** - the design of the Proposed Development is not fitting within an existing neighbourhood or established area nor is it reinforcing and complementing the existing built patterns such as form, massing, height, proportion.
- Sometimes proposed developments with modest increases in height and density can – with sensitive design – be made to fit within a lower scale context. However, in my opinion, the height, scale, massing, form and design of the Proposal is neither a modest increase over what is found in the surrounding context – nor has sufficient design effort gone in to making the increased height, massing and density a good fit within the context.
- **The Waterfront Node Development Guidelines**, (which as guidelines do not carry the same force as Policies) suggest that in general the building height south of Annland Street should be no more than 3-storeys or 11 m. (other than decorative features – such as towers, turrets, etc.) The Proposed Building has not met the intent of the guidelines in either the recommended height or with respect to design features.
- **Context Zoning:** The existing zoning for the surrounding neighbourhood context permits heights from 9 to 12 m. There are no zoning permissions for taller buildings in the area. The Proposal is calling for a completely new scale to be introduced into this area that will not only block views and compromise privacy, but also introduce an inappropriate precedent for future development in this low-density neighbourhood.

In summary – while the Mixed Use designation may be appropriate for this area, the Proposal's height massing and scale are not. Buildings of this scale are not part of the character of the surrounding neighbourhood and are not compatible with, nor do they complement the immediate surrounding context

6.0 IMPACTS

6.1 Impacts Overview

As discussed briefly above, introducing a development that has stark differences in terms of height, density, massing and scale from the neighbourhood around it creates a number of negative impacts on the neighbourhood that can be quite disruptive. The impacts of the Proposed Development include:

- neighbourhood character disruption;
- overlook and loss of privacy;
- loss of views to the waterfront;
- shadowing.

Each impact is discussed in turn below.

6.2 Neighbourhood Character Disruption

6.2.1 Policy – Guidelines & Neighbourhood Character Disruption

Both the City of Pickering OP and the Waterfront Node Guidelines place a great deal of emphasis on maintaining and reinforcing existing neighbourhood character—especially in the low-density, established residential neighbourhoods. Proposed developments in these neighbourhoods that do not reinforce existing neighbourhood character can therefore be said to have a negative impact on the existing neighbourhood that is often referred to as “neighbourhood character disruption.” Once a character disrupting development is permitted within a neighbourhood it establishes a negative precedent for other similar developments in the future.

People move to established residential neighbourhoods for many reasons, but one important reason is neighbourhood character. If that character is permitted to erode through inappropriate new developments, then the neighbourhood runs the risk of destabilizing. One out-of-scale development establishes an inappropriate precedent for subsequent developments to follow. That is not to say that these neighbourhoods should be static or that new development must look exactly like the existing buildings in terms of architectural style, but rather that residents in these areas (that have not been identified in the OP as areas suitable for intensification) should reasonably expect that new development will be similar in terms of basic massing, scale, height and built-form. Increases in density may be permitted by paying careful attention to design details that limit impacts. This view is supported by City Policies and the Guidelines (many of which have been discussed above) including:

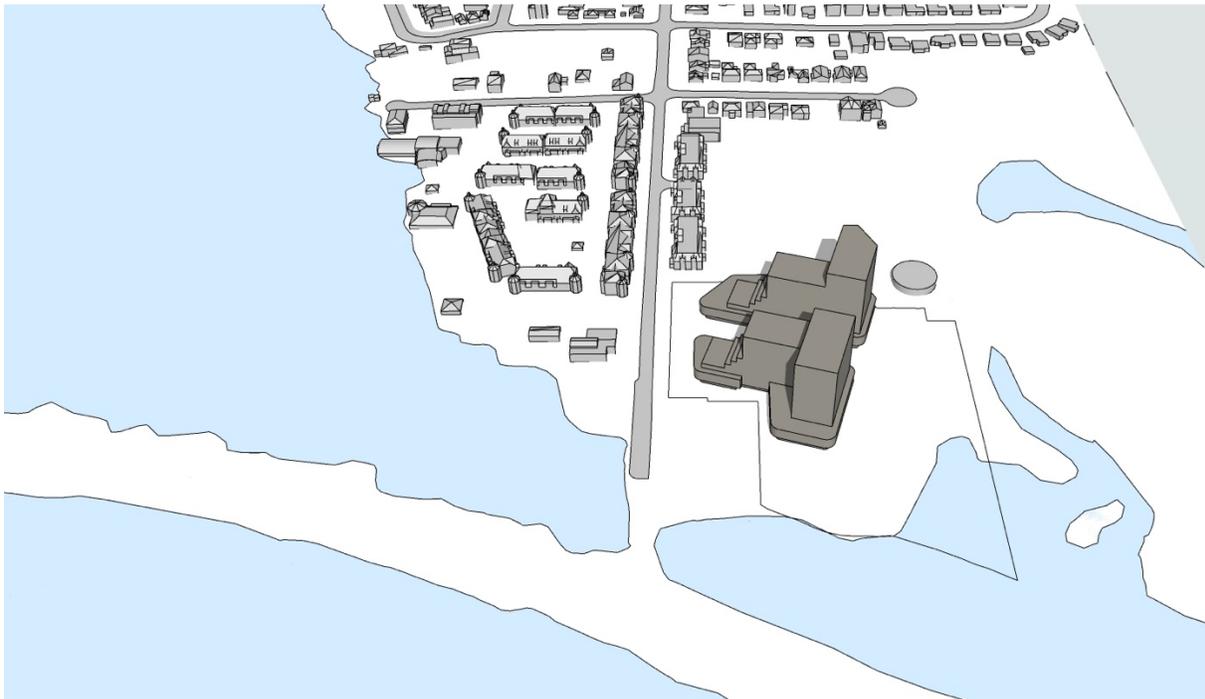
- **OP Policy 3.2**, which states *City Council shall promote compact urban forms in the urban areas... while maintaining the character of stable residential neighbourhoods, ...* (emphasis added)

- **OP Policy 3.9 (c) Urban Residential Areas**, which states that in establishing performance standards, restrictions and provisions for Urban Residential Areas Council shall have particular regard to (among other things: (i) *“protecting and enhancing the character of established neighbourhoods, considering such matters as **building height, yard setback, lot coverage, access to sunlight, ...** (emphasis added)*
- **OP Policy 9.2 Community Design Objectives**, which states: To achieve the community design goal, City Council shall: (e) encourage developments that are **designed to fit their contexts** by considering the mix of uses, and the **massing, height, scale, architectural style and details of existing, adjacent buildings;** (emphasis added)
- **In the Bay Ridges Neighbourhood Policies OP 12.5** the Subject Lands are within the “Liverpool Road Waterfront Node” – which is described as an area that exhibits a unique mix of built and natural attributes. Building form and public space within the Waterfront Node are to be of high-quality design with a nautical theme as detailed in the Liverpool Road Waterfront Node Development Guidelines.
- The introduction to **OP Chapter 14** states that *“Community image is an important design matter warranting detailed policy consideration. Through effective community design, the City can foster an image of Pickering that recognizes the collective perceptions residents hold of the City and of their respective neighbourhoods.”*
- **OP Policy 14.2** states that City Council shall: require that *“development at all scales creates, reinforces, and enhances distinctive neighbourhoods, nodes and corridors, and enhances the specific character of existing developments and neighbourhoods;”* (emphasis added)
- **OP 14.10 – Design of Buildings** – states that City Council shall: (c) *“where new development is proposed within an existing neighbourhood or established area, encourage building designs that reinforce and complement existing built patterns such as form, massing, height, proportion, position relative to street, and building area to site area ratios;”* (emphasis added)
- **Waterfront Node Guidelines Appendix A – Architectural Guidelines -- Nautical Village elements for buildings include:** (among other things)
 - *Maintaining a scale of smaller historic buildings, so that larger buildings need to be broken down visually into smaller components;*
 - *Front entrances encouraged to have large and generous porches with upper floor balconies or decks above porches; ground floor windows encouraged to be part of extended front porch, or have awnings or canopies, which can also contain signage*



Revised Proposed Site Plan in Context

(Site Plan by The Biglieri Group Ltd., Aerial Photo by Google Maps)



Aerial view of the Revised Proposal – looking north

(Image: DTAH/FUSL)

6.2.2 The Proposal and Neighbourhood Character

Despite the numerous Official Plan Policies and the Waterfront Node Guidelines that speak to the importance of new development fitting into the surrounding context, the Revised Proposal seeks to introduce a completely new and alien building form into the neighbourhood context. As can be seen in the aerial photo plan and 3-D Model images above, the Revised Proposal in no way resembles the surrounding buildings in terms of site design, massing, height, scale, and details. There has been no attempt to visually break down the large building mass into smaller components to maintain the scale of the surrounding smaller buildings.

The Proposal's built form differs from the surrounding neighbourhood in a number of specific ways including building footprint size, shape and general massing, building orientation, height of both the base buildings and towers, roof shape and lack of guideline-recommended nautical detailing - including such elements as front porches, towers and turrets.

In terms of site plan, the Proposal also differs from the site plan patterns of both older and more recent development in the area. The traditional neighbourhood site pattern on the internal residential streets consists of houses or townhouses on individual lots – with the building set back from the street behind generous front lawns, with driveways and garages, and front porches or front stoops that are raised a few steps above sidewalk level and that provide a gradual transition from the public street to the more private front stoop. Even along busy streets such as Liverpool Road there is a clear and well-established pattern of how buildings, even ones with commercial uses at-grade, address the street – which is very different from what is being proposed here.

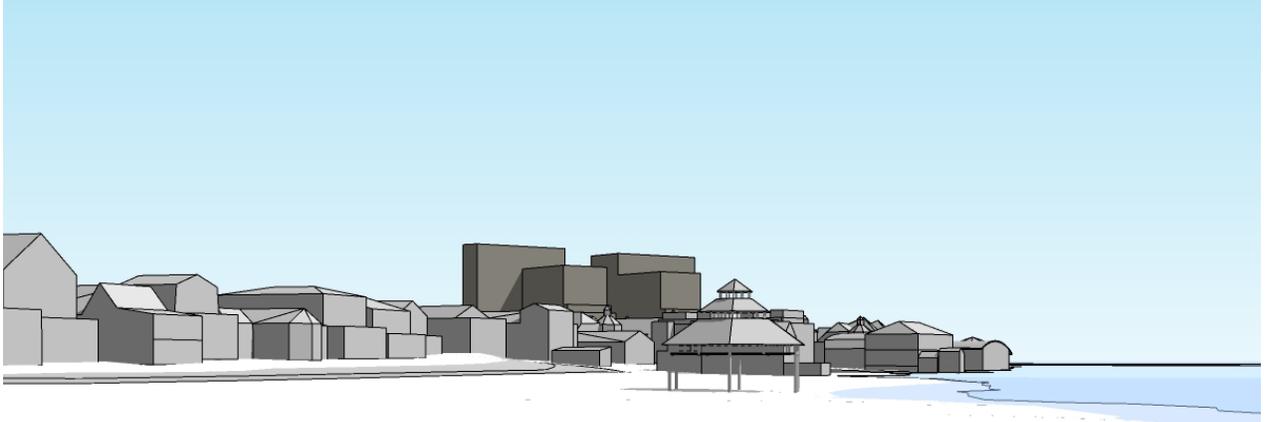
The newer, large-scale developments in the area, including the Nautical Village and the Madison townhouse development, are subdivided into smaller development blocks by private roads and consist mostly of attached townhouses – but in many ways continue the traditional relationship between the building and the street. This includes the use of front lawns (other than along Liverpool Road), raised front stoops and porches and individual entrances facing the street. In contrast the Proposal is comprised of two main buildings both of which are large scale apartment complexes with limited entrances, internally accessed units and underground parking – all of which combine to create a completely different relationship to the street and the public realm. The arrangement is typical for large podium-tower buildings (which are suitable in other parts of the City such as the City Centre) –but is very different from, and not supportive of, the surrounding neighbourhood context.

It is possible for larger developments to make an attempt to provide a better fit into their surroundings by stepping back taller elements of the building and allowing carefully designed base buildings to provide a more, scale-appropriate relationship with the context. With the Revised Proposal, however, the 3-storey base-buildings have massive footprints when compared to the adjacent townhouses in the Nautical Village. In addition, the ground floors of the base

buildings are recessed by 3 m, which again stands in stark contrast to the prevailing built-from pattern in the neighbourhood. From a design perspective, it is important to provide ground-floor retail spaces visual prominence. The fact that along this portion of Liverpool Road there is a deep setback required for an underground utility easement, is already making it difficult to design an intimate relationship between the proposed ground-floor commercial spaces and the street. The additional 3 m setback, in my opinion, exacerbates the problem. This issue continues into the Pedestrian Promenade between the two proposed buildings where it may be difficult to draw people into a linear space that does not connect to other streets or public spaces – but that ends at the Hydro Marsh. (A problem that will be compounded by shadowing of this space at many times of the year – as detailed below) A site plan with an interconnected road or path system would provide better opportunities and reasons for pedestrians, cyclists and vehicles to want to move through the space and likely provide better opportunities for retail spaces to thrive.

Another issue related to neighbourhood character is the proposed indoor boat storage facility located on the ground floor of the north building. As noted above, the Waterfront Node Guidelines speak to the importance of retaining and enhancing the nautical character of the neighbourhood, some of which has to do with the visible, outdoor boat storage facilities found in various locations around the neighbourhood. While an indoor boat storage facility may help to retain the use, it does so in a very different way and with a different and less visible impact on the area. The Proposal drawings provide very little detail about the proposed boat storage facility, It is unclear therefore how tall the ground floor of this space will be – and therefore what size boats can be stored and how many. Also, will there be windows to allow views into and out of the space, will the space have alternative uses during the months when boats are in the water, etc. What is clear is that an indoor facility will not provide a visible reminder of the area's nautical character the same way that the surface boat storage facilities are able to do.

The 3-D model images below, highlight the difference in character between the Proposal and the surrounding context and provide a sense of just how dominant an appearance they will have from many different vantage points around the neighbourhood. The model is a simplified massing model with no landscaping. While during the warmer months of the year, it is acknowledged that some of these views toward the Proposed Development will be obscured by trees in full-leaf, during the colder months of the year, when deciduous trees are bare – the Proposal will be more prominent. Again – the intention of the massing model is to show the contrast in massing, scale and height between the proposal and the surrounding neighbourhood.



Eye-level view— looking southeast from Progress Frenchman’s Bay East Park

(Image: DTAH/FUSL)



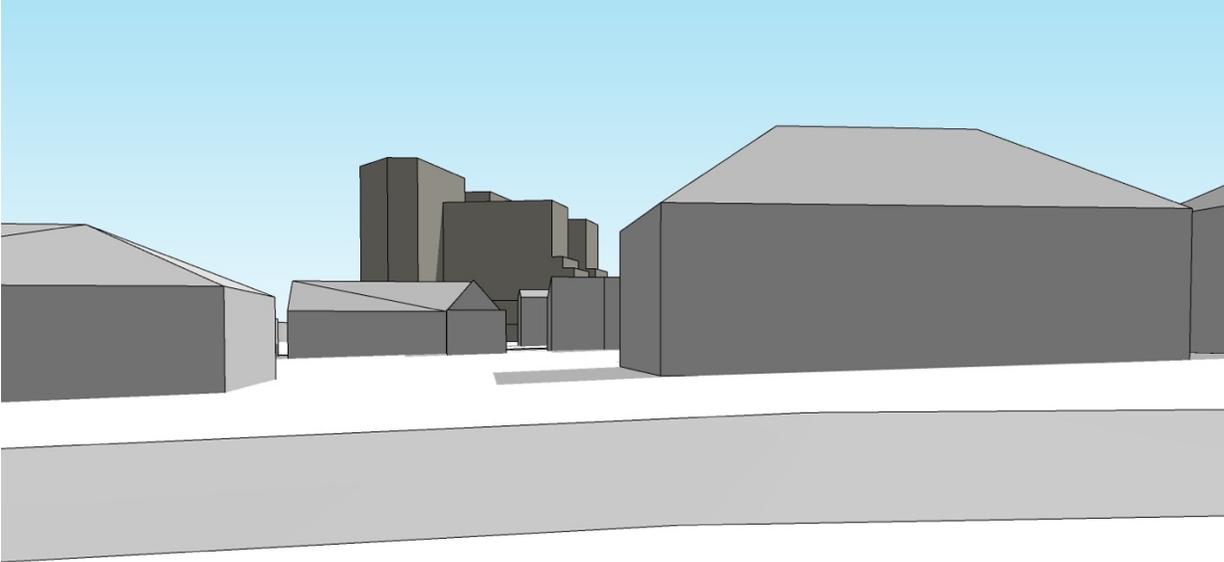
Eye-level view— looking south along Liverpool Road from Commerce Street

(Image: DTAH/FUSL)



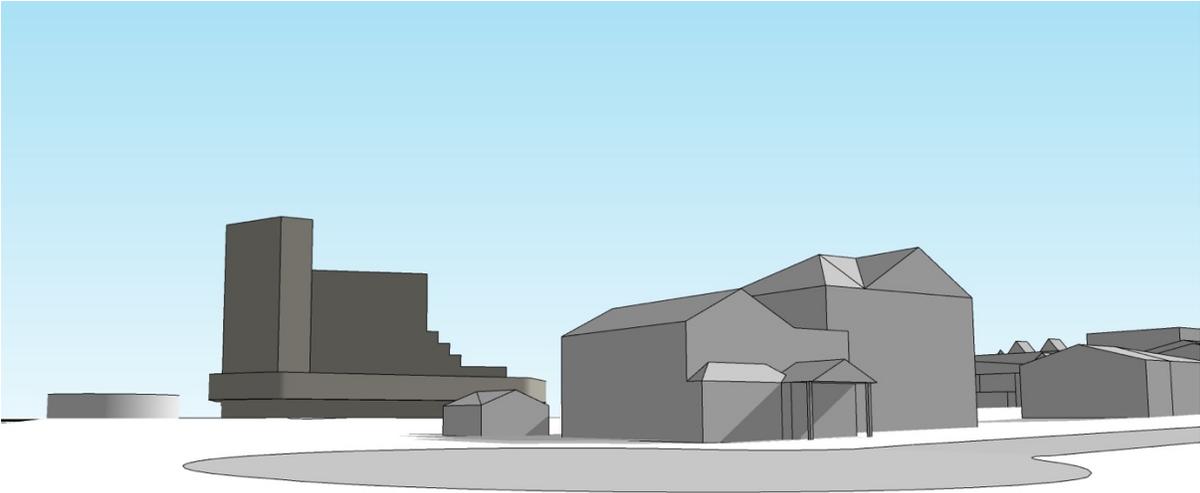
Eye-level view— looking south along Liverpool Road from Wharf Street

(Image: DTAH/FUSL)



Eye-level view— looking south from Annland Street

(Image: DTAH/FUSL)



Eye-level view— looking southwest from Alderwood Park at the east end of Wharf Street

(Image: DTAH/FUSL)

6.2.3 Opinion re Neighbourhood Character Disruption:

In my opinion, the Revised Proposal (although lower in height than the former proposal) if permitted to proceed in its current form will impose the negative impact of neighbourhood character disruption. The City of Pickering, through its Official Plan policies, zoning and related design guidelines—has placed a great deal of emphasis on contextual fit and the importance of new developments in established residential neighbourhoods both fitting in with and reinforcing the character of those neighbourhoods. Buildings that do not fit in with and reinforce neighbourhood character can have a destabilizing effect on the neighbourhood and can act as negative precedents for future neighbourhood developments.

In particular the Proposal fails to:

- protect and enhance the character of the surrounding established neighbourhoods considering such matters as building height, yard setback and lot coverage (contrary to OP 3.9 (c));
- fit into the context by considering the massing, height, scale, architectural style and details of existing adjacent buildings (contrary to OP 9.2);
- follow the requirement that development should reinforce and distinctive neighbourhoods and enhance the specific character of existing neighbourhoods (contrary to OP 14.2);
- follow the policy that encourages building designs in existing neighbourhoods to complement existing built patterns including form, massing, height, proportion, position relative to the street and building area to site area ratios. (contrary to OP 14.10).

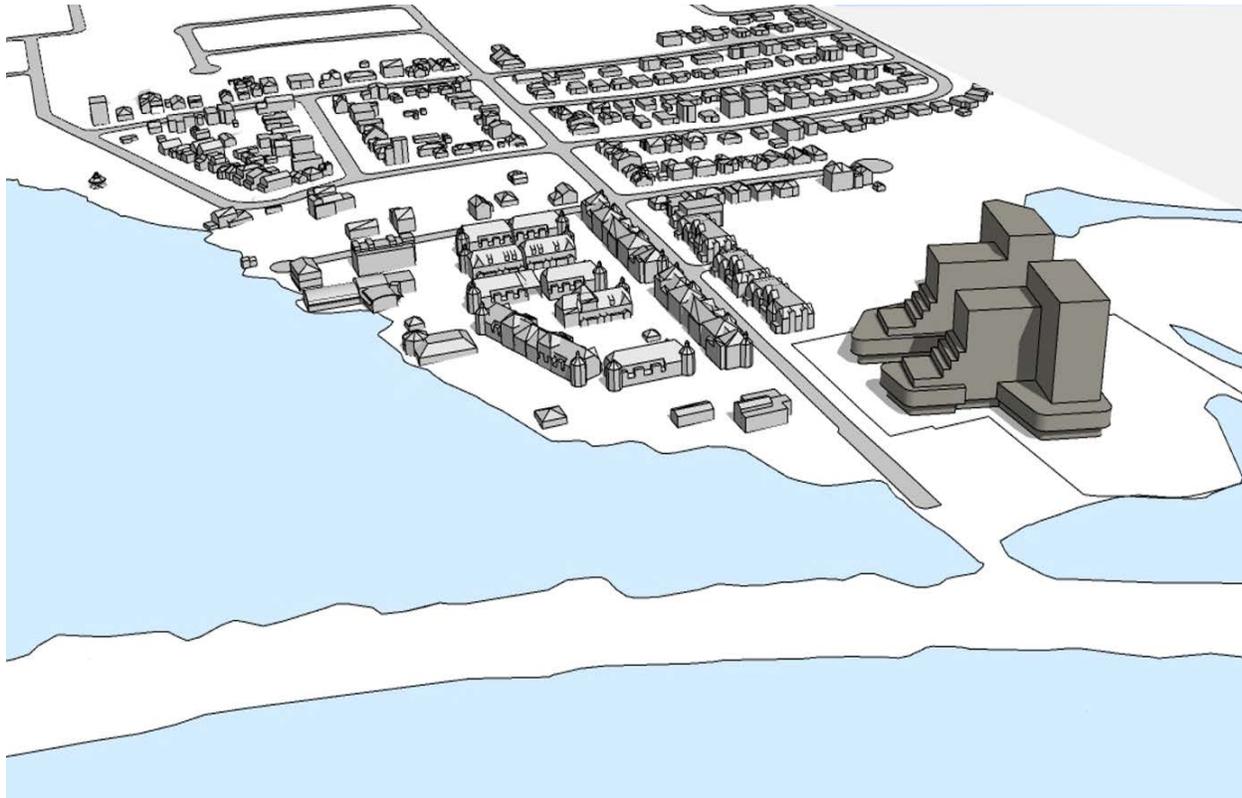
Permitting a development with the proposed out-of-character height, massing, scale and site design will set a negative development precedent for the area, which in turn can have a destabilizing impact on the neighbourhood.

6.3 Overlook & Loss of Privacy

6.3.1 Building Separation & Height – Reasonable Expectations:

Another negative impact, that can occur when taller buildings are proposed within low-rise areas, is that of overlook and loss of privacy. The Subject Site's north property line is 12 m from the property line of the Nautical Village townhouses to the north and 150 m to the rear property line of the houses along Wharf Street. The Site's west property line is separated 20 m from the townhouses to the west by the Liverpool Road right-of-way and there is a utility set-back on the east side of Liverpool Road. For a low or mid-rise development, these setbacks and separation distances would be considered adequate and would ensure that there would be little to no opportunity for overlook onto adjacent properties. However, because of its height, the

Proposal's 15-storey towers provide sightlines from its windows and balconies to adjacent lots, buildings, backyards and balconies – not just immediately adjacent to the Subject Site, but also to blocks further into the surrounding neighbourhood. The overlook issue is exacerbated by the fact that a development of this scale has a large number of units facing all directions.



Aerial view of the Revised Proposal – looking northeast

(Image: DTAH/FUSL)

In areas of the City where, through study and public process, higher density and taller buildings have been deemed to be appropriate (for example in the City Centre) there is a reasonable knowledge and expectation among existing residents that taller buildings are permitted in the area, and that existing and future buildings may provide overlook into the surrounding area. In this neighbourhood context, however, where low-rise houses and townhouses are the norm, and where no public process has been undertaken to change the Official Plan designations or zoning for the area – there is no such expectation. Residents of this area, in contrast, have a reasonable expectation that future development in the area will follow, in general, the built-form patterns that currently exist in the area.

6.3.2 Opinion re Privacy & Overlook:

In my opinion the height and scale of the Proposed building—its proximity to the Nautical Village and the single family houses and townhouses in the surrounding neighbourhood—leads to a situation where the occupants of the higher-floor podium units and tower units will have views from their windows and balconies into the yards, balconies and windows of the surrounding residential properties resulting in a loss of privacy for those affected neighbouring properties.

In a low-density, residential neighbourhood like this, there is a reasonable expectation among property owners that adjacent properties -- if and when they redevelop -- will follow similar rules as other properties in the neighbourhood with respect to heights and general building form. While there is built-from variation within the Surrounding Neighbourhood Context (i.e., houses and townhouses) the general scale of the neighbourhood is preserved, and new developments are not permitted to tower over their neighbours in a way that permits overlook and compromises privacy. Permitting a building to rise approximately 5-times higher than prevailing neighbourhood building heights will create overlook and privacy issues and, in my opinion, would result in an unacceptable negative impact for this low-rise neighbourhood context.

6.4 Views & Vistas Impacts

6.4.1 Views & Vistas: Official Plan & Guideline

As outlined above – the City of Pickering **OP Section 12.5** recognizes the area around the Subject Site as ‘Liverpool Road Waterfront Node,’ which should be promoted as a boating, tourism and recreational area that requires future development to capitalize upon these unique waterfront attributes, which include Frenchman’s Bay, Lake Ontario, the Hydro Marsh, City parks, Millennium Square, marine activities, and the historic Village of Fairport. This Section of the OP also states that lands within the Waterfront Node require high quality design with a Great Lakes Nautical Village theme as detailed in the Council-adopted Liverpool Road Waterfront Node Development Guidelines.

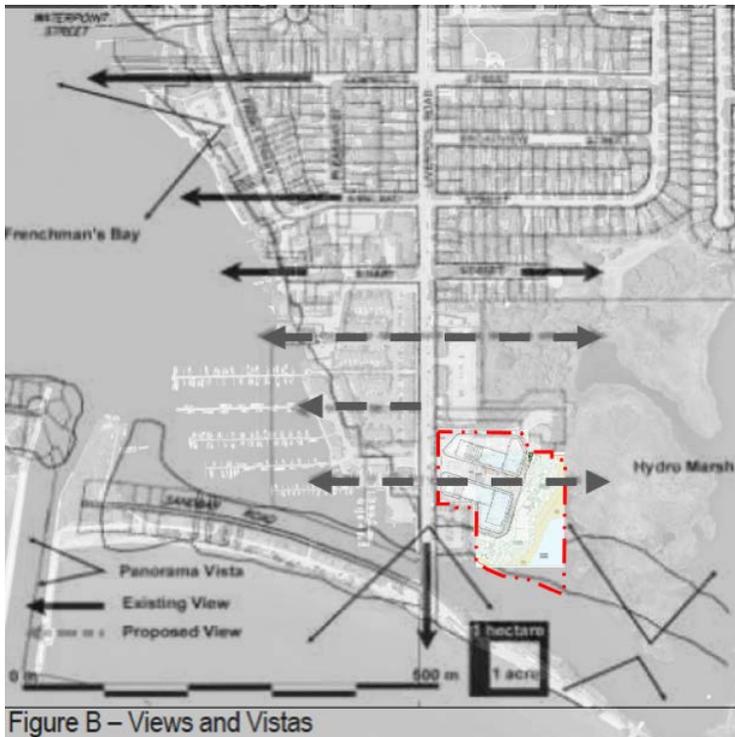
In the introduction to **OP 14.6 Views and Vistas** it states that another important objective of community design is to preserve and enhance existing views and vistas of Pickering’s built and natural features and identify and develop opportunities to establish new views and vistas, including intimate views that create a relationship between indoor and outdoor activities.

More specifically, **OP 14.6** states: City Council shall:

- (b) *preserve “landmark” views of unique features, including the Pickering Civic Complex and Frenchman’s Bay, to provide visual reference points within Pickering’s urban area, and to enhance the significance of those features*

- c) *evaluate new development proposals for their opportunity to maximize, create or enhance views and vistas;*
- d) *endeavor to maintain and enhance views of natural features, including woodlots, topographic features, bodies of water and across open spaces;* (emphasis added)

The **Guidelines** designate a large portion of the Subject Lands as a “Marina Mixed Use Area.” Lands in this designation are intended to develop in a manner that creates a high-quality built form that is sensitive to views of the water.



Views & Vistas: Liverpool Road Waterfront Node Development Guidelines

The Guidelines also set out detailed development standards that speak to such issues as protection of views. **Section C1.4.1 Views & Vistas** state:

*“Currently, there are open views to Frenchman’s Bay from Liverpool Road, south of Wharf Street, which provide a sense of place to the waterfront location. Views such as these are considered to be of primary importance to the establishment and preservation of a sense of place. These views create the unique atmosphere of the area and help define the vision for the Node. To **preserve, enhance and maximize opportunities for views from the area towards Frenchman’s Bay and Lake Ontario, is of primary importance and shall be a key consideration in the review of any development proposal...**”*

6.4.2 Opinion re Views & Vistas:

In my opinion – the Proposed Development has not conformed to key subsections of OP Section 14.6 dealing with Views & Vistas, nor has it met the intention of the Waterfront Node Guidelines to preserve views from the neighbourhood to the Hydro Marsh, Krosno Creek and Lake Ontario.

The Guideline **C1.4.1 Views & Vistas** speaks directly to the area south of Wharf Street and provides a diagram (above) showing view corridors along streets and between buildings. The Proposal does meet the spirit of this Guideline as it provides an angled view corridor along the proposed Pedestrian Mews/Promenade, which would provide views from Liverpool Road, through the development to the southeast.

However, the OP speaks to the importance of preserving views in general from the neighbourhood to the water, not just along view corridors. The intent of the view protection policies, in my opinion, is to ensure that from the perspective of the neighbourhood as a whole there is consideration of views to the water and that the neighbourhood experience includes a significant connection to the waterfront. It is not the intent of these policies to encourage landowners to create taller developments that will block the view of other residents. While the Proposed 15-storey building may create very good views of Frenchman’s Bay, the Hydro Marsh and Lake Ontario from many of its windows and balconies, that is not the intent of OP Policy 14.6 c), which is about maximizing, creating or enhancing public, not private, views.

The Proposed development is located close to Frenchman’s Bay, Krosno Creek and the Lake and, if approved at this height, will interfere with neighbourhood views and the experience of connection to the water—particularly from the areas to the north, northeast and east of the Site, contrary to the intention of the OP and Council approved Guidelines.

6.5 Shadow Impacts:

6.5.1 Shadow Studies

The Pickering Official Plan Policy 15.5A (iii) requires a shadow study be submitted at the time of an OPA and ZBA application for any proposal over 13 m (4 storeys) in height. The mandated test dates and times are March 21, June 21, September 21 and December 21 at the following hours: 9:18 am, 11:18 am, 1:18 pm, 3:18 pm, 5:18 and 7:18 pm

My review of the Shadow Study diagrams reveals the following observations:

September 21st , (March 21st):

9:18 a.m. Shadow impacts extend across Liverpool road to the northwest and across the first two groupings of townhouses to the north of the Proposal on the east side of Liverpool Road.

11:18 a.m. The Proposal’s shadow is cast onto the right-of-way access to the pumping station. In

addition, the Proposal's south building casts a shadow across the Site's central pedestrian promenade. During the "shoulder seasons" outdoor public spaces that are not in shadow are much more comfortable for pedestrians and therefore much more likely to be used for strolling, window shopping and even outdoor cafes. The fact that this space is mostly in shadow at this time is an issue if the aim is to make it a comfortable and attractive public space.

1:18 p.m. By this time of day, the shadow has moved away from the north building's west end, creating a small sun-lit area in front of the proposed commercial space. The remainder of the central promenade, however, remains in shadow.

3:18 p.m. A larger area of the promenade in front of the north building is no longer in shadow, but the majority of the promenade is still within the shadow cast by the south building. To the north of the Site, the tower shadows are cast over the pumping station and the adjacent wetlands to the northeast. (Note - shadows cast onto the wetlands may have environmental impacts, but this is beyond my area of expertise).

5:18 p.m. No urban design impacts. With the sun low in the sky at this time of year the towers cast very long shadows over the adjacent wetlands.

June 21st

9:18 a.m. No urban design impacts. With the sun high in the sky the shadows are cast almost entirely on the Subject Site.

11:18 a.m. to 3:18 p.m. While there is some shadowing of the central pedestrian mews during mid-day – the area around the commercial spaces at the west end of the space is mostly free of shadows.

5:18 p.m. No urban design impacts. The towers cast long shadows over the adjacent wetlands.

7:18 p.m. No shadow diagram provided.

December 21st

9:18 a.m. With the sun very low in the sky at this time of year the Proposal casts very long shadows over the townhouses to the north of the Site.

11:18 a.m. No urban design impact on adjacent buildings. Long shadows are cast over the open space to the north. Other than a small area at the very west end of the north building, the central, pedestrian promenade is completely in shadow.

1:18 p.m. No urban design impacts. The Proposal's shadow is cast onto and beyond the Pumphouse. Other than a slightly larger area at the very west end of the north building, the central, pedestrian promenade is still completely in shadow.

3:18 p.m. No urban design impacts. The tower shadows are cast over the adjacent open space and wetlands to the northeast. The central pedestrian promenade remains largely in shadow.

6.5.2 OPINION re Shadows:

Based on my review of the shadow studies I offer the following conclusions and opinions:

- In general, there are no substantial shadow impacts on adjacent sites or buildings – other than on the townhouses to the north at 9:18 in December and September/March.
- During the “shoulder seasons” March 21/September 21 the Site’s proposed central pedestrian promenade will experience considerable shadowing in the middle of the day which will have a negative impact on the usability of the space. From a design perspective, observations of outdoor spaces, during the cooler months of the year show that the majority of people tend to gravitate toward outdoor public areas that are not in shadow. This space will likely not be as well used at this time of the year – compared to a similar space that is not shadowed.
- Also, during the morning hours of March 21/September 21, while there is no shadowing of existing adjacent buildings, there are shadows being cast onto the parking area behind (to the east of) the existing townhouses. If the townhouse site is redeveloped in the future, these shadows could negatively impact the redevelopment potential of this area.
- There are shadows cast onto the adjacent open spaces and wetlands, but the impacts of this shadowing is beyond my area of expertise.

7.0 CONCLUSIONS

The Revised Proposal, which includes two large, L-shaped 15-storey podium-tower buildings, is too large and too tall and is not compatible with, supportive of, nor will it enhance the surrounding neighbourhood context.

The City of Pickering has established areas in the municipality where higher density development is appropriate and welcome—but the Liverpool Road Waterfront Node at the south end of the Bay Ridges Neighbourhood is not one of these areas. The location of the Site at the far end of a low-rise neighbourhood and far from higher-order transit does not make it a good or appropriate location for this scale of development.

In terms of its built form, the Proposal is inappropriate for this location because it does not fit into and reinforce the character of the surrounding neighbourhood as required by several Official Plan policies and as recommended in the Waterfront Node Guidelines.

This lack of appropriate fit is made evident by the fact that Proposed height of 15-storeys is about 4-times higher than the tallest of the new houses and townhouses in the neighbourhood. This excessive height is an issue not only because it does not fit or enhance the neighbourhood

context, but also because it leads to other negative impacts. In terms of density and FSI — the Proposal, at 340 u/nrh and 4.34 FSI — far exceed the 140 u/nrh and 2.5 FSI permitted under the Mixed Use Community Node OP land use designation — a designation that does not even yet apply to the Site — but that is part of the OPA request — and far in excess of the highest densities currently found in the area.

This excess density manifests itself in a Proposed building complex whose massing and scale, contrary to the City’s policies and guidelines, does not take its cues from the surrounding neighbourhood site and built-form context, but instead introduces a new, podium-tower built form and site plan that makes little effort to fit harmoniously into the context.

The result of the excessive height, density and massing is a development that, if approved, will have a number of negative impacts on its surroundings—including: neighbourhood character disruption, overlook and loss of privacy, loss of views to the waterfront, and shadowing of the central pedestrian promenade and adjacent private properties and natural areas. In addition, the insertion of buildings of this scale and design into this low-rise, residential neighbourhood will establish a development precedent that could lead to other similarly over-scaled developments in the area.

For all of these reasons, in my opinion, the Revised Proposal should not be permitted to proceed in its current form and the official Plan Amendment and Zoning By-law Amendment Applications should be declined. The Subject Site is suitable for a residential development, but only at a more modest scale and height and with more concerted efforts made to fit within the neighbourhood context.

A handwritten signature in black ink, appearing to read 'R. Freedman', with a stylized flourish at the end.

Robert Freedman FRAIC, AICP



5A-150 Pinebush Road
Cambridge ON N1R 8J8
p: 416.479.9684
905.381.2229
519.896.3163

www.ptsl.com

6 May 2020
Project: 190672

Cristina Celebre, MCIP, RPP
Principal Planner, Development Review
City of Pickering
One The Esplanade
Pickering, ON L1V 6K7

Dear Mr. Celebre:

RE: TECHNICAL REVIEW – 591 LIVERPOOL ROAD TRAFFIC IMPACT STUDY (DATED MARCH 10, 2020)

The purpose of this letter is to document the technical review of the report, “591 Liverpool Road, Traffic Impact Study, Pickering Harbour Company Ltd., March 10, 2020” prepared by HDR Corporation (the consultant). The subject study was preceded by two earlier reports (same title, dated May 2019 and November 2019) as well as a separate 10-page document prepared by the consultant that summarized how agency comments on the May 2019 report were addressed in the November 2019 report.

The Traffic Impact Study (TIS) was undertaken to assess the road, traffic control, and parking requirements for the proposed redevelopment of 591 Liverpool Road (foot of Liverpool Road) in Pickering. The proposed uses include 377 residential condominium units, 1,400 SM of commercial gross floor area (GFA), 625 SM for a public assembly hall, and indoor boat storage. Compared to the previous proposal, there would now be 121 less residential units (reduced from 498) and 500 SM GFA less commercial space (reduced from 1,900 SM). The public assembly hall and indoor boat storage represent new uses.

Other key differences between the previous and current development are related to parking. The total parking supply now proposed is 535 spaces and a higher allocation of parking to the residential use has been made. As well, there would be no change to the existing 72-space public parking lot immediately south of the subject site. In the earlier proposal, the proponent incorporated this lot in the site plan concept and added 128 more spaces for a total of 200 public parking spaces. Maintaining the public parking lot as is also allows it to continue functioning as a vehicle turnaround at the foot of Liverpool Road for regular traffic. This was a concern with the previous concept since it was unclear where or how the turnaround maneuver would be provided. It should also be noted that based on a comment on this application from Durham Region Transit (DRT) staff, the parking lot should not be used as a public transit

turnaround and it is understood that City Engineering Services staff agrees with DRT staff in this regard.

There is no change in the study area for the TIS, and as previously, it includes several intersections along the Liverpool Road corridor between Bayly Street and the subject site. The consultant has updated the traffic forecasts to reflect the change in uses and intersection operations analyses were conducted for the weekday AM, weekday PM, and Saturday peak hours for existing conditions, 2027 horizon year conditions, and 2032 horizon year conditions. Like the earlier studies, the consultant's key conclusion related to traffic impact is that the proposed development can be accommodated by the study area road network with adjustments to signal timing at the Liverpool Road/Bayly Street intersection and the installation of traffic signals at the Liverpool Road/Krosno Boulevard intersection. The consultant also provides a rationale to justify that the proposed parking supply would be sufficient for the needs of the proposed development.

The technical review comprises a Summary section to present the major findings and a Detailed Commentary section to present the assessment of the technical content.

Summary

The subject study generally follows the TIS Guidelines of both the City of Pickering and Durham Region. Notwithstanding, there are several deficiencies in the traffic assessment that would have to be addressed to support the consultant's conclusion that the proposed development could be accommodated by the study area road network. This would require completion of the following tasks:

- Updating base year traffic data at selected locations to confirm the validity of the traffic forecasts; and
- Conducting a more rigorous assessment of improvement alternatives for the Liverpool Road/Krosno Boulevard intersection.

With regard to the parking component of the study, we find that the proposed parking supply for residents at 1.0 space per unit is reasonably well-supported by residential proxy site survey information. It is a higher resident parking demand rate than the average demand rate of 0.85 spaces per unit recorded at residential proxy sites located in the Pickering City Centre area, which have locational advantages with respect to being less dependent on a private automobile, and we understand that 1.0 space per unit is a rate that the City has accepted for other residential developments located outside of the Pickering City Centre.

Conversely, the proposed shared rate of 0.25 spaces per unit to address the combined parking requirements of residential visitors and commercial uses is not well-supported and could result in a parking supply that is insufficient. The approach to developing this rate included adopting virtually the same residential visitor parking demand rate observed at the residential proxy sites (despite the latter's locational advantages) and using it in a shared parking analysis where an assumption was made that the commercial floor area would be split evenly between retail and office uses. This represents one of many possible scenarios for the commercial



space, which the consultant acknowledges in the report when they note that, “*the commercial land use tenants are not yet defined*”. For the shared parking analysis, the consultant based the retail and office initial parking demand rates on those contained in Seaton Zoning By-law 7364/14 and the shared parking formula contained in Pickering City Centre Zoning By-law 7553/17.

Pickering Planning staff advise that there are several non-residential uses being sought by the applicant that have different individual parking requirements within the Seaton Zoning By-law, and different shared parking factors within the City Centre Zoning By-law shared parking formula, than those relied upon by the consultant in their analysis of residential visitor and commercial parking requirements. Therefore, the shared parking analysis of one theoretical combination of retail and office uses along with a residential visitor parking demand based on Pickering City Centre proxy sites is not sufficiently rigorous to support the site specific parking rate recommended by the consultant for the combination of residential visitors and commercial uses.

The parking requirements for the proposed Assembly Hall use were also based on both the Seaton and City Centre Zoning By-laws and the resultant parking supply should be sufficient for its needs. Depending on the programming of the Assembly Hall, its parking supply may occasionally serve as overflow parking for residential visitors and commercial employees on various days and at different times of the day. The uncertainty of when surplus on-site parking may be available represents another unknown in terms of confirming the overall sufficiency of the proposed parking supply.

Detailed Commentary

Traffic

1. In the review of the description and assessment of Existing Traffic Conditions, the following is noted:
 - The consultant has now provided a new report section to document observations of existing traffic operations, which now meets the requirements of the Durham Region’s Traffic Impact Study Guidelines. The observations satisfactorily describe typical peak hour traffic operations in the study area; and
 - All versions of the TIS (May 2019, November 2019, and March 2020) are based on traffic data collected in June 2017. While this data is within the City’s Traffic Impact Assessment Guidelines (three years), it is also well beyond the Region’s guideline of data being no more than one year old. While it can be anticipated that there have been no substantial changes in peak hour traffic at most Liverpool Road intersections in the study area, newer traffic counts for the Liverpool Road/Bayly Street intersection should be obtained either from the Region or by arranging data collection (at an appropriate time) to compare and verify the base year data used in the study. As well, an eight hour traffic count should be undertaken on a weekday and a Saturday (when possible) to provide an update to the June 2017 peak period traffic data for the Liverpool Road/Krosno Boulevard intersection and to provide the



information needed for a comprehensive signal justification analysis. The consultant has recommended signalization of the Liverpool Road/Krosno Boulevard intersection in the assessment of future conditions but did not have sufficient base year data to conduct the Ontario Traffic Manual's (OTM) preferred method for justifying signalization. Unless the Region or City have more current data available, the suggested data collection would have to be undertaken during typical traffic conditions (i.e. at some date after current COVID-19 restrictions on work, school, and social activities are lifted).

2. In the review of the description and assessment of Background Traffic Forecasts (2027 and 2032), the following is noted:
 - The consultant addressed Region staff comments on the May 2019 TIS as related to the background traffic growth rate and other development components of the background traffic forecasts in their November 2019 TIS, and no further changes were required in the March 2020 TIS. Therefore, the background traffic forecasts are satisfactory, subject to confirmation of the reasonableness of the base year traffic volumes as described in comment 1 above; and
 - For future background traffic conditions, the consultant finds that no geometric or traffic control improvements would be required. The one deficiency they note is that the 95th percentile southbound left turn queue on Liverpool Road at Bayly Street would exceed the storage lane length (as it does today). As in previous reports, they suggest re-aligning the pavement markings on the southbound approach to increase the left turn storage, however, it is understood that Region staff are not supportive of this due to weaving concerns and related safety implications.
3. In the review of the methodology used to estimate the Site Traffic Generation and Site Traffic Assignment, the following is noted:
 - In response to City and Region staff comments on the May 2019 TIS, the consultant has provided additional supporting information in the November 2019 TIS for the peak hour trip generation associated with the residential, commercial, and public parking lot components of the development. With the public parking lot component removed from the current development, and a public assembly hall added, the consultant has made the required adjustments to the site trip generation;
 - The consultant bases the residential trip generation for the 377 condominium units on trip rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition) for Land Use Code (LUC) 232 *“High-Rise Condominium/Townhouse”*. For the 9th Edition of the ITE manual, it would generally be preferred to use LUC 230 *“Residential Condominium/ Townhouse”* since its data is based on many more field studies than LUC 232. The latter land use, which only has four to five field studies for the peak hours, is denoted in the manual with the warning, *“Caution – Use Carefully – Small Sample Size”*. As noted in City staff comments on the May 2019 TIS, the use of LUC 232 results in lower trip generation than that under LUC 230 (10% to 20% lower). However, a comparison can also be



made to the current version of the ITE Trip Generation Manual (10th Edition) and LUC 222 “*Multifamily Housing (High-Rise)*”, which would be the appropriate use for the proposed development and is based on 25 field studies for the weekday peak hours and nine studies for the Saturday peak hour. Compared to the current ITE manual and LUC 222, the consultant’s trip estimates are 5% to 15% higher in each peak hour. Therefore, the trip generation for the residential component can be considered satisfactory;

- Regarding the site trip generation for the residential component, we note two typos under Section 4.2 where ITE LUC 230 is referred to (although LUC 232 was used for the calculations) and where the number of condominium units is referred to as 428 rather than 377 (the correct number was used for the calculations although minor rounding errors are noted in Table 24);
- The consultant bases the commercial trip generation on the average trip rates in the ITE Trip Generation Manual (9th Edition) for LUC 820 “*Shopping Centre*”. This is a reasonable approach considering the consultant’s stated rationale as well as the guidance provided in the ITE Trip Generation Handbook (3rd Edition) for selecting either average rates or fitted curve equations in estimating trip generation. We noted that later in the report in discussing parking provisions, the consultant assumes the commercial space may be split evenly between retail and office uses. The use of the ITE “*Shopping Centre*” trip rates for the whole commercial space represents a conservative approach since retail would typically generate higher numbers of trips compared to an equal mix of retail and office;
- For the proposed new Assembly Hall use, the consultant uses a first principles approach to estimating the peak hour trip generation since this use is not found in the ITE Trip Generation Manual. The consultant’s assumption that there would be negligible traffic activity associated with this use during the weekday AM peak hour is reasonable. Basing the weekday PM and Saturday peak hour trip generation use on the assumption there would be one trip in and one trip out per parking space allocated to this use (63 spaces in total according to City by-law requirements) is conservative (errs on the higher side) and is considered reasonable given the unknowns related to the specifics of the events that may occur at this type of facility;
- In combining the site trip generation for the various components of the development in Table 24 of the report, the consultant applies a 10% reduction to the residential site trip generation to account for the convenience of the on-site commercial uses – i.e. it is assumed that goods or services that residents would typically travel off-site for would be available on-site. With no other adjustments applied to the residential or commercial trip generation, this approach is reasonable; and
- The site trip distribution and assignment of trips to the study area road network are satisfactory. We note a typo in the title of Section 4.2 where Traffic Generation is referred to rather than Traffic Distribution.



4. In the review of the assessment of Total Traffic Forecasts (2027 and 2032), the following is noted:
- For the 2027 horizon year (and same applies for 2032), the consultant finds that the southbound approach of Liverpool Road at Krosno Boulevard would operate at a poor level of service and would have volume demands that exceed the theoretical capacity with the existing all-way stop control during the weekday PM peak hour. They recommend signalization of this intersection to address these concerns. The consultant also finds that there are no other intersection improvements required in the study area with the exception of future signal timing adjustments at the Liverpool Road/Bayly Street intersection;
 - For the Liverpool Road/Krosno Boulevard intersection, the consultant undertook the signal justification methodology contained in OTM Book 12, specifically “*Justification 7 – Projected Volumes*”, and found that signals would not be justified. Notwithstanding that this analysis did not justify signalization, it should be noted that there were some errors in the application of the methodology, including:
 - The consultant used the 2027 PM peak hour traffic forecast as input to the analysis rather than the average hour as prescribed in OTM Book 12. The average hour is to be derived by dividing the AM plus PM peak hour volumes by four, or where only one peak hour forecast is available, dividing the available peak hour by two. By not averaging the peak hour volume, the consultant used double the volume that should have been input into the analysis. Even with the higher volumes, the consultant found that the signal justification criteria would not be met;
 - The PM peak hour traffic volumes in this analysis are slightly different than the 2027 forecasts shown in Exhibit 13 in the report, including the addition of some movements to and from the west despite this being a T-intersection with no west leg;
 - With signalization, the consultant finds that the intersection operations would be greatly improved (levels of service ranging from A to C for each approach). In response to a City staff comment on the May 2019 TIS regarding the longer southbound queuing that would occur with signalization, the consultant responded that they had report included recommendations for a southbound left turn lane or an advanced southbound signal phase in November 2019 TIS. However, that study did not contain analysis of or recommendations for those additional improvements but noted that they could be “*considered*” and also that there is “*insufficient public right-of-way*” available at this intersection to accommodate either a roundabout or the addition of an exclusive left turn lane “*without reducing boulevard widths*”. The March 2020 TIS repeats what is in the earlier reports. It is now understood that the consultant is not stating that the public right-of-way isn’t sufficient to accommodate the required widening for a southbound left turn lane, but rather that this couldn’t be done without reducing boulevard widths. The implication is that reducing boulevard widths would be undesirable. The consultant also notes that the land use near the



intersection would be a constraint to an intersection improvement, and we assume that this is in reference to redesigning the intersection as a roundabout;

- While signalization or a roundabout would be alternatives to consider, it is clear that additional work is required to justify the most appropriate form of intersection design and traffic control. This would include:
 - Confirming whether the current all-way stop control is warranted according to the methodology in OTM Book 5 “*Regulatory Signs*” and/or the City’s “*All-way Stop Sign Policy*”. This would involve collecting current traffic data. It should be recognized that this control acts as a constraint on the north-south capacity of Liverpool Road at the Krosno Boulevard intersection. Notwithstanding if all-way stop is warranted or not, consideration would also have to be given to other “*community purposes*” that are being served by the all-way stop – i.e. while stop signs are not technically a traffic calming device, in this case the north-south stop acts as a mid-point break in the otherwise uninterrupted traffic flow along the subject section of Liverpool Road, and it provides controlled pedestrian crosswalks on each of the three legs of the intersection with virtually no delay to pedestrians;
 - Conducting a comprehensive signal justification analysis based on the OTM Book 12 preferred approach of using eight hour traffic volumes. Again, this would involve collecting current traffic data. It should be recognized that while signalization would address the identified future capacity issue for the weekday PM peak hour, a signalized operation would not provide the mid-point break in north-south traffic flow as described above for the all-way stop control (except during the north-south red phase) and pedestrians would generally experience higher levels of delay due to the need to wait for a crossing phase;
 - Determining the need for and operational/safety effect of providing a separate southbound left turn lane with either the existing all-way stop control or signalization;
 - Preparing functional design drawings to illustrate the physical impact of adding a southbound left turn lane or implementing a roundabout design and determining if any property is required outside of the public right-of-way. For the signalized intersection alternative, this would include critically examining lane widths to determine the potential for maintaining part of the existing boulevard width; and
- The consultant also refers to an opportunity for a future road connection between Liverpool Road and Sandy Beach Road in the vicinity of the foot of Liverpool Road. This would be a significant undertaking to assist in offloading traffic from Liverpool Road. In the November 2019 TIS, the consultant referred to discussions with City staff regarding this opportunity. In the current March 2020 TIS, this is changed to the consultant stating their understanding that the City is undertaking a study to consider this new road connection. Since this potential road network improvement is not part



of the study in terms of forecasting and analysis, it is unclear why this information is included.

5. Based on the consultant's responses to the comments on the earlier TIS, there are also several key transportation issues that will have to be resolved through the site plan review process, including:
 - For the site plan review process, the proponent will be expected to provide design drawings for the proposed accesses to Liverpool Road, the internal roadways, parking layout and loading areas, and related vehicle maneuvering diagrams to demonstrate the feasibility of the site plan for vehicle access and circulation.

Traffic Demand Management (TDM) Measures

1. The consultant notes in the November 2019 response document that their client's commitment to the various TDM measures outlined in the report will be discussed with City and Region staff outside of the scope of the traffic study. These measures, which are also listed in the March 2020 TIS, include:
 - Bicycle parking for residents and commercial customers;
 - Providing transit maps and schedules on-site to encourage use of these modes (and subject to a DRT route change to provide a stop within reasonable walking distance);
 - Offering "*unbundled*" parking (separating unit costs and parking space costs) such that there would be a financial incentive to prospective residents to either not own a private vehicle or to own fewer private vehicles;
 - The potential for a dedicated shuttle bus between the site and the Pickering GO station (who would be providing this service should be clarified); and
 - The potential for on-site carshare and bikeshare (subject to having providers of those services).
2. This approach to establishing TDM commitments outside the scope of the subject TIS is reasonable with regard to the traffic assessment since the consultant's trip generation estimates did not rely on trip reductions directly associated with the successful implementation of TDM measures. As discussed in the next section, however, the proposed reduction in parking requirements would be more dependent on TDM and this makes it more critical to establish TDM commitments early in the review and approval process.
3. In the vicinity of the subject site, Liverpool Road has a relatively narrow right-of-way and is constrained by private property, pedestrian facilities, and natural features. The consultant demonstrates with vehicle maneuvering diagrams that the existing parking lot at the foot of Liverpool Road could accommodate the turnaround requirements of larger public or private transit vehicles if this type of service were provided. It is understood that DRT staff have commented that they do not operate new bus routes through



parking lots and have been modifying service where this was occurring, and it is also understood that the City Engineering Services staff would not support this type of operation either. In summary, this means that a separate turnaround loop would be required if public transit service is extended to the foot of Liverpool Road.

Parking

1. Section 6 of the TIS provides the justification for reduced parking rates for the proposed development. The justification analysis is needed since the proposed parking supply is less than the requirements in Zoning By-law (ZBL) 2520¹. It is understood that ZBL 2520 is considered to be out of date and there is a need to establish a site specific parking requirement for the subject application. Notwithstanding, the requirements under ZBL have been noted in the following points for comparison with the proposed parking supply.
2. The proposed parking supply for the 377 residential units is 377 spaces (1.0 space per unit) versus the 566 spaces (1.50 spaces per unit²) that would be required under the ZBL. This results in a theoretical parking deficiency of 189 spaces for residents. The consultant uses a rate of 0.15 spaces per unit for visitors as the starting point in later calculations of shared parking between visitors and on-site commercial uses. The consultant notes that these residential rates were determined through studies of proxy sites, which are discussed below:
 - The consultant conducted parking surveys at three residential condominiums located near the Liverpool Road/Bayly Street intersection. The parking supply rate at the proxy sites ranged from 0.95 to 1.02 spaces per unit for residents and 0.25 to 0.27 spaces per unit for visitors (with some visitor spaces signed specifically for the on-site commercial uses), which is higher than the proposed supply rates of 1.0 space per unit for residents and 0.15 spaces per unit for visitors. The average parking demand measured at the proxy sites (actual parking usage), however, does show a closer comparison with the proposed residential parking rate, i.e. demand rates of 0.85 spaces per unit for residents and 0.14 spaces for visitors (after removing the designated commercial spaces from the survey results);
 - The demand rate information supports the proposed lower parking rates only if it is accepted that the proxy sites and the subject site are similar in terms of their locations, and especially with regard to locational advantages that would be conducive to less reliance on auto ownership such as proximity to inter-City and regional rapid transit services;
 - The locations of the proxy sites are significantly closer to the Pickering GO station than the subject site. The straight line distance to the train platform is approximately

¹ City staff advise that ZBL 2520 applies to the subject lands. HDR does not include a reference to this ZBL or the related theoretical deficiency between proposed and required parking.

² ZBL 2520 shows the parking rate for “Residential – Multiple Family Vertical” as 1¾ spaces per unit, for occupants and visitors. We assume that this would represent 1.5 spaces per unit for residents and 0.25 spaces per unit for visitors (the latter a common rate for visitor parking requirements).



750 meters (12 minute walk at 1.0 m/second walk time) for the proxy sites versus approximately 2,000 meters (33 minute walk at 1.0 m/second walk time) for the subject site (approximately 20 minute difference). Similarly, the proxy sites are within approximately 1.5 kilometres of the DRT Pulse service on Kingston Road versus 2.5 kilometres for the subject site. This strongly suggests that walking to the GO station or to the DRT Pulse would be much more likely for the proxy sites than for the subject site. With regard to the GO station, it is noted that the consultant minimizes this difference by stating that the proxy sites are “*only a 10 to 15-minute walk closer than the proposed site*”;

- Notwithstanding the distance factor, the proposed resident parking rate (1.0 space per unit) is higher than the measured demand rate at the proxy sites (0.85 spaces per unit), which provides for some accounting of the differences in locational advantages (i.e. more parking for the subject site since it would likely be more auto dependent than the proxy sites). As well, it is understood that the City has permitted a resident parking rate of 1.0 space per unit in other locations that are similarly distant from higher order transit services. With the implementation of the TDM measures outlined in the report, the proposed parking supply for residents could be supported;
 - The proposed residential visitor parking rate at 0.15 spaces per unit that is used as the starting point for the shared parking analysis is lower than a typical visitor parking requirement of 0.25 spaces per unit for medium and high density development and lower than the visitor rate of 0.20 spaces per unit that is understood to have been approved by the City in other non-City Centre locations (e.g. Duffin Heights). While the proposed rate is marginally supported by the parking demand recorded at the proxy sites (0.14 spaces per unit), there is virtually no accounting for the locational advantages of the proxy sites as is evident in the proposed resident parking rate versus the observed resident parking rate. It would be more logical to have a higher resident parking rate due to locational differences paired with a higher visitor parking rate; and
 - It is recognized that a shared parking analysis is appropriate for this proposed mixed use development. There should be potential for sharing parking between residential visitors and commercial customers since their individual peak parking demands would typically occur at different times of the day. It should also be noted that this type of analysis relies on reasonable initial parking demand rates for each use. Considering the location of the subject site, an initial residential visitor parking demand rate of 0.20 spaces per unit would be more appropriate in the shared parking analysis than the proposed 0.15 spaces per unit.
3. For the proposed 1,400 SM GFA of commercial use, the consultant assumes that half will be occupied by retail uses and half will be occupied by office uses. To arrive at a proposed parking supply for these uses, the consultant uses the rates in the Seaton ZBL (ZBL 7364/14) as a starting point, which are discussed below:



- The proposed parking supply for 700 SM of retail is 32 spaces (4.5 spaces per 100 SM) versus the 42 spaces (5.5 spaces per 93 SM) that would be required under ZBL 2520. This results in a theoretical parking deficiency of 10 spaces;
 - The proposed parking supply for 700 SM of office is 25 spaces (3.5 spaces per 100 SM) versus the 38 spaces (5.5 spaces per 93 SM) that would be required under ZBL 2520. This results in a theoretical parking deficiency of 13 spaces;
 - The total theoretical parking deficiency for the stated commercial uses would be 23 spaces (57 spaces proposed, and 80 spaces required); and
 - No rationale is provided by the consultant to support the use of the Seaton Centre ZBL rates at the subject site, but staff have advised that it is reasonable approach since this ZBL applies in a non-City Centre area.
4. The consultant uses the City Centre ZBL shared parking formula to assess the potential for sharing parking spaces between retail uses, office uses, and residential visitors. The shared parking adjustment factors contained in the ZBL are reasonable for non-City Centre sites since the temporal differences in parking demand reflect the characteristics of the land use not the site location. The consultant uses the proposed parking for each of these uses as the starting point for applying the shared parking percentages. Typically, a shared parking formula would be applied to the required parking under the governing ZBL to assist in justifying a parking reduction. As previously noted, however, ZBL 2520 is considered to be out of date, and therefore, the approach is reasonable to assist in developing a site specific parking requirement notwithstanding the concern that the initial residential visitor parking rate is considered to be too low. The consultant finds that the sum of the parking required for residential visitors, retail uses, and office uses based on the rates used as the starting point is 114 spaces. The application of the shared parking formula reduces this number by 25 and results in a minimum requirement of 89 spaces. Some key points related to the shared parking calculations should be noted:
- The critical time period in the shared parking formula is a weekday evening;
 - During a weekday evening, the retail parking demand would be high (90% of its proposed supply) and the residential visitor parking demand would also be high (100% of its proposed supply). The office parking demand would be very low (10% of its proposed parking supply); and
 - The low office parking demand during this critical time period contributes virtually all of the reduction in parking in the application of the shared parking formula (22 of the 25-space reduction). As noted previously, the consultant has assumed that the commercial space will be split equally between retail and office uses so if this assumption is not correct, there could be more (>50% office) or less (>50% retail) of a parking reduction depending on the actual future tenants. As noted by the consultant, *“the commercial land use tenants are not yet defined”*.
5. The proposed parking supply for residential visitors, retail, and office is shown in Table 38 of the report to be 95 spaces, which is six spaces more than the 89 spaces



determined through the shared parking formula. The consultant relates the proposed parking supply for these uses to the number of residential units to define a “shared rate” of 0.25 spaces per unit. This is the same as a typical visitor parking supply rate and the consultant notes that it is similar to the combined visitor and commercial parking supply rate at the proxy sites. As noted previously, the proxy sites have locational advantages compared to the subject site that make this comparison tenuous. Further, the consultant does not state the amount of commercial floor area at the proxy sites so it is not clear if they are comparable in that regard to the subject development.

6. In summary, the consultant’s analysis results in an aggressively low parking rate for the combination of residential visitor and commercial uses. As noted in the review of the methodology, the initial parking demand rate for residential visitors is too low for this site and the future commercial uses are unknown. Pickering Planning staff advise that there are several non-residential uses being sought by the applicant that have different individual parking requirements within the Seaton Zoning By-law and different shared parking factors within the City Centre Zoning By-law shared parking formula compared to those relied upon by the consultant in their analysis. Therefore, the shared parking analysis of one theoretical mix of retail and office uses along with a residential visitor parking demand based on Pickering City Centre proxy sites does not provide compelling support for the site specific parking rate recommended by the consultant.
7. The proposed parking supply for the 625 SM GFA Assembly Hall is 63 spaces (10 spaces per 100 SM), which is a common requirement in both the Pickering City Centre ZBL 7553/17 and Seaton ZBL 7364/14. In ZBL 2520, the place of assembly parking requirement is one space for each four persons that can be legally accommodated. The latter number is not known at the time of writing so no comparison can be made of proposed and required parking, although the proposed 63 spaces would represent an occupancy of approximately 250 persons based on the ZBL 2520 parking rate. The consultant correctly points out that Assembly Hall parking could be made available for other on-site uses or for public parking at times when no events are scheduled. The availability of this parking would mitigate the concerns expressed above regarding the proposed supply of parking for residential visitors, retail, and office but only during non-event times.

If you have any questions or comments, please contact the undersigned.

Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED



Garry Pappin
LEL
Senior Project Manager

